

## Minutes 07.21.22

### Brown County Joint Municipal Court Administrative Committee Meeting

Town of Scott Town Hall 2621 Jody Dr. New Franken, WI 54229

Thursday, July 21, 2022 at 7:00 PM

- 1) **Call to Order** In the absence of BCJMC Chair Van Lanen, the regular meeting of the Brown County Joint Municipal Court Administrative Committee was called to order by Town of Glenmore Chair, Rick Loppnow on July 21, 2022, 7:00 PM at the Town of Scott Town Hall. Present: Town of Eaton Supervisor, Mike Goral; Town of Glenmore Chair Rick Loppnow; Town of Humboldt Chair Tim Van Pay; Town of Morrison Chair Tom Kempen; Town of Rockland Supervisor Matt Meeuwsen; Town of Scott Supervisor Cari Langenburg and Clerk/Treasurer John Roth; Judge Cletus Hubers; Clerk of Court Sharon Diedrick; Treasurer/Secretary Lana Ossmann and 3 guests.
- 2) **Pledge of Allegiance** Recited by all.
- 3) **Affidavit of Posting** Meeting was posted at the Town of Scott Town Hall and website, the BCJMC website and at the Glenmore Community Center.
- 4) **Roll Call and Introductions** Those in attendance introduced themselves. Sign-up sheet passed around.
- 5) **Review and approval of previous meeting minutes (April 21, 2022) Motion Tom Kempen/Tim Van Pay to approve the minutes of the April 21, 2022 meeting. Voice Vote. Carried.**
- 6) **Judge's Report** Judge Hubers reported that in May there were 55 defendants, 64 citations and one not guilty plea with a pretrial scheduled. The July report will be for the next meeting. It was a big one with 138 citations. No court in June. Dates scheduled for future court are: In 2023, January 5, March 2, May 4, July 13 (moved because of July 4<sup>th</sup> holiday), September 14 (moved because of Labor Day), November 9. Also, January 4, 2024.
- 7) **Clerk of Courts Report** Sharon reported that the files have been moved to the Glenmore Community Center file cabinet and are no longer in her garage. She did some checking with other courts to see what their policy was on refunding overpayments. Currently, if under \$5.00- no refund. One 8<sup>th</sup> district municipality is \$10.00, the rest that replied are currently at \$5.00. We will keep it at \$5 over is refunded. Lastly, for the future, Sharon might suggest that the email for the court might be changed to something shorter than our current address (which is [browncountyjointmunicipalcourt@yahoo.com](mailto:browncountyjointmunicipalcourt@yahoo.com)). She would love to look at just having bcjmc @ yahoo or outlook, etc. It was suggested that we might look at .gov. Would that cost? Morrison is now applying for a grant to cover costs. The change could also include changing Lana's address. Tom will forward the information on the grant to Sharon. Sharon will forward the information on to all towns in case they want to look it over also.
- 8) **Treasurer/Secretary Report** Nothing new to report.
- 9) **Denmark State Bank/Bank First update. New checking account signature card required.** Lana summarized the packet of information received regarding the pending merger. 1) Monday, August 15<sup>th</sup> is the official day for the change. Updated checklist of items should be arriving the week of August 8<sup>th</sup>. 2) Online banking will be disabled on Friday, August 12<sup>th</sup> at 5 PM. Bank will be closed on Saturday, August 13<sup>th</sup>. DSB online website will be deleted on August 15<sup>th</sup> but we should be able to use our same login info at the new website. 3) Our checks will need to be

replaced, but Lana will be using old ones for the October meeting. They are asking that new checks are being used within 6 months of the changeover date of August 15<sup>th</sup>. That means we will need to order new checks before our supply runs out. 4) Our account number will remain the same. 5) The routing number will change so any ACH debit or credit vendors/customers will need to be notified of the change for their records. Lana will be making corrections online with the IRS because we handle changes to that information.

The other issue is the number of signers on the checks. Currently Denmark State Bank physically goes into our record to be sure that the required three signatures are on every check presented. After the two banks are together that is no longer something Bank First offers. We, as a group, can still be using all three lines for signatures at a meeting, but they are no longer going to be required at Bank First. The Treasurer/Secretary is not authorized to sign and so any questions about the 1 signature needed would still avoid any misconduct by anyone in the Treasurer/Secretary position. Currently there are four signers and three signatures required to process. Bank first is just not going to be managing the three required signatures anymore. The same four will be authorized to sign (Mike Van Lanen, Rick Loppnow, Tom Kempen and Dennis Cashman), but as far as the bank is concerned only one is needed. Should we go to another bank to have the required 3 signatures? No, that is not necessary. We can still require the three signatures as a group, meaning any combination of the four on record. Even tonight, there are only two signers here. So, having just 1 signature required in the future may eliminate the need for Lana to obtain extra signatures after the meeting. Lana has new bank signature documents to circulate.

**10) Financial Report/Review of Expenses. Approval of Payments/Checks to be signed.** Starting with the Deposit Detail that covers April 22 to July 21, 2022, the Income is \$15,658.84. Page two is the Accounts Payable, the checks that are written out tonight plus the auto deduction for the IRS (the only ACH that Lana works with). So, we did not end up buying a new printer that we talked about last time? The printer didn't die yet. What about the asterisk on page three at the bottom? Sometimes it is hard to see. The first asterisk shows the period covered at the Denmark State Bank and the second asterisk shows the ending balance at the bank on July 21, 2022. Page three balancing box at the top left show the balance forward from 4-21-22 of \$47,331.31, adding the income of \$15,658.84, subtracting the accounts payable of \$16,242.34 which results in our ending balance tonight of \$46,747.81. That equals the box on the top right which shows the checking account balance in Denmark State Bank, minus the checks written out tonight that will make the adjusted balance the same as in the box on the left. Question was raised about the citation income versus the citation payments. More information will be on that under-Agenda Item # 12. What you see on this report belongs only to the BCJMC. We will see on the other forms what does go back to the municipalities and how those totals are determined. The budget will also be discussed. This is a good night to be attending. For example, the amount that the Town of Scott is being paid tonight is different than what was taken in. Only a certain percent may be paid out. **Motion Rick Loppnow/Tom Kempen to approve the financial report and bills as presented. Voice Vote. Carried.**

**11) New Business:**

**A. Next Court Dates: September 1, 2022 and November 3, 2022 at 3:00 PM.** Was the time always 3:00 PM? It had been later, but that was changed a while ago. We also changed to having court every other month. At this time, we could see up to 7 appear. People take off if they need to come. This 3 PM really works out well. There was even one lady from Milwaukee who came to the last court that was held.

**12) Monthly Finance for Municipality Payback Comparisons.** Lana reported that the records that she researched really did not show a division of court costs that was adopted. No agreement on record that she could find.

Sharon started out by saying that last time we were together we talked about municipalities reducing their costs to the court for the year. Now it is \$2500.00. Could that possibly go down? In researching that we would need to look at the cost of paybacks. The reason a court is established is to get rid of problems, not necessarily to get money back. Tom added that he was to a listening session for the Town's Association. A gentleman was asking what they can do to get rid of nuisances in town. They have no way to issue citations. Tom's response was that we have it (the answer) right here (meaning the court).

Sharon explained the packet in depth. Page one is what is paid out from a citation (Bond Schedule). Typical speeding violation, ten miles or over, is the \$98.80 line. Fine actually \$30. That stays in the municipality where fine occurs. 26% of \$30, which is \$7.80 is the penalty that goes to the state for that fine. The Jail fee of \$10 gets paid to the county, \$13 is the Crime Lab fee which is paid to the state and \$38 is Court Costs (\$33 stays with municipality, \$5 goes to state). Out of that ticket (\$98.80) only \$63 stays here (\$30 fine/\$33 court costs).

Second page shows two options, A & B, how paybacks could be calculated. Using the Municipal Court Monthly Financial Report (extra sample copies distributed) a spreadsheet of categories with the 2021 actual citation number breakdowns was created. Sharon explained in detail. Many questions were asked and answered. Comments: \$10 Jail fee is collected and forwarded to the County for every citation. Crime lab may be used in the case of an OWI. Numbers on the report are for the entire year. These are the municipalities that have received payments. That citation could be issued for a traffic violation or for an ordinance violation, by either an officer or a town official. Looks like Scott would be losing the most. Scott has the largest number of citations. Objective to change would be to lower the annual town fee. This is only in illustration. Analysis on the 2021 budget (last three pages of the packet) would be that Example A would have created a plus \$885.38, Example B would have created a plus \$9799.21.

Have the costs to hire officers increased? Not yet. Hiring of officers discussed by towns who have the patrol in their towns. How often varies. Number of officers available has decreased. Officers are spending most of their time in towns who contract rather than doing normal traffic patrol. Traffic on certain roads is kept in check when officer is there. Scott is not making money on citations. Another cost is if defendant pleads guilty, then Atty. Gagan gets involved at \$190 per hour. Most Scott citations are traffic violations, no ordinance violations in years. Cooperation within towns discussed. Having a municipal court of your own is a great help with that cooperation. Before this court was formed, we had to wait for our cases to be heard. And

towns were not a top priority. Holland had issue with barking dogs. Owner knew town had little to no authority and so owner did not nothing but laugh at them and the officer. Sheriff's department cannot write a ticket on a town ordinance. Awesome town staff contributes to cooperation also. Can't speak for what Chair Van Lanen would think about these reduced numbers.

Perhaps the direction at last meeting was misunderstood. When the talk about lowering the annual fee per town was discussed we might have just been wondering what affect on our budget would it be to lower each municipalities fee by \$500.00. Changing the way we handle payout comes up every year. Perhaps this could be discussed again with more here.

Yes, looking at the bank balance of \$69,000 + at the half point of the year, is there a reason why we need to continue that high balance? Remember, tonight's checks go off that balance and so our carryover to next meeting is just \$46,747. Last year at this time, it was \$32, 140. At least each time the balance is on an upward move, a little bit healthier. Why not try just lowering the annual fee based on the balance being carried?

The payback formula was not really the reason for the discussion. Apologies to Sharon and Lana for all the work they put into it. Sharon explained what she learned from other municipalities. There was one that did not pay anything back during the year but calculated based on percentage a one-time payment at the end of the year. Currently we divide all court costs by 2. Half stays with the BCJMC treasury. The other half is added to the fine fee and paid out to the municipality.

These are just examples of other ways to do the citation payback. There does not seem to be a clear agreement in the records regarding how this is being figured out each quarter. The reason for having the court is not to make your money back. The ability to have access court is worth the \$2500.00 per year. More discussion followed. Finally, those in attendance agreed that the splitting the court costs in half, with BCJMC keeping ½ and the municipality receiving the other half is how the payback should continue to be calculated.

If everyone keeps this packet of information handy, we may discuss at another meeting in the future. Item # 12 tabled.

Conversation turned to attendance at these quarterly meetings. It is very important that everyone tries to be here or to send a representative.

- 13) **2023 Proposed Budget** Tonight's version change only includes the Cell Com numbers increased as we discussed last time. Summary of changes made tonight: Income: Lower 2023 Annual Dues from \$2500 per town to \$2000 per town. Expense: Separated allocations for Judge-Convention Hotel (\$300.00 added) and Clerk-Convention Hotel (Changed from \$410 to \$300) Mileage adjusted for 62.5 /mile (changed from \$200 to \$225) Postage (Changed from \$220 to \$375). **Motion Tom Kempen/Tim Van Pay to reduce the fee for the BCJMC court per town to \$2000 per year. Voice Vote. Carried.**

Lana will revise the 2023 Proposed Budget to email to all Town Chair and Town Clerks with a reminder to include on your August or September 2022 Town Board meeting agenda for discussion and action. Then a copy of the minutes should be sent back to Lana for BCJMC records.

14) **Adjournment Motion Cari Langenburg/Matt Meeuwsen to adjourn. Voice Vote. Carried. 8:36 PM.**

Respectfully Submitted,

Lana Ossmann, Treasurer/Secretary  
Brown County Joint Municipal Court

Meeting was posted at the Town of Glenmore and on the Brown County Joint Municipal Court website on Tuesday, January 19, 2021.

Those in attendance introduced themselves. Sign-up sheet passed around.