

## Minutes 04.21.22

### Brown County Joint Municipal Court Administrative Committee Meeting

Town of Humboldt Community Center 5500 Humboldt Rd. Green Bay, WI 54311

Thursday, April 21, 2022, at 7:00 PM

- 1) **Call to Order** In the absence of Chair Van Lanen, Rick Loppnow called the regular meeting of the Brown County Joint Municipal Court Administrative Committee to order at 7:05 PM at the Town of Humboldt Community Center. Present: Town of Eaton Chair Jim Osterloh; Town of Glenmore Chair Rick Loppnow; Town of Green Bay Chair Cary Dequaine; Town of Humboldt Chair Tim Van Pay; Town of Morrison Chair Tom Kempen; Town of New Denmark Chair Bill Krueger; Town of New Denmark Supervisor Mike Calewarts; Town of Scott Clerk/Treas. John Roth; Judge Cletus Hubers; Clerk of Court Sharon Diedrick; Treasurer/Secretary Lana Ossmann and one guest, Sgt. Karl Lau.
- 2) **Pledge of Allegiance** Recited by all.
- 3) **Affidavit of Posting** Lana reported that meeting notices were posted as follows: BJMC website by Sharon Diedrick; Town of Humboldt Community Center and town website by Judy Baierl. Thanks for posting.
- 4) **Roll Call and Introductions** Everyone introduced themselves.
- 5) **Review and approval of previous meeting minutes (January 20, 2022) Motion Jim Osterloh /Cary Dequaine to accept the minutes of the January 20, 2022 meeting. Voice Vote. Carried.**
- 6) **Judge's Report** Judge Hubers reported in January there were 45 citations, 38 defendants, 4 defendants appeared and 1 request for a reopen hearing to discuss November default. But he defaulted, didn't show up. In March there were 70 defendants, 80 citations and 11 defendants appeared. 1 appearance was a hearing. That is still in progress. Then there is the Calaway issue for the Town of Morrison. Discussion on the Calaway issue: Another item that was dropped by the roadside; Town of Morrison vs (Tom) Calaway; right now @ \$214,000.00 in fines; the Manor House razed; another building involved also; court trying to sort out; Sharon working with Clerk (Magley); no monies were received by Town of Morrison; that case is still hanging--records not complete; Sharon found the missing file; but no records on what was decided at the time; court wants Morrison to know that there are records, but no record of judgment; check with Colleen to see if she has records on what the judgment was; Judge remembers that he would have recommended Morrison go to the circuit court with claims because this court's limit is \$5000; yes, Morrison razing alone was \$25,000.00; there are no files of the judgment with the court; Sharon said there were a few letters in the file, showed it was closed, but no record of judgment; took place in May of 2016; 6 year limitation to act so we have only a few months to do something; what are the options? A letter could be sent to Calaway that he has 30 days to pay, then turn in to SDC for collection; if working with SDC it would be good for another 10 years; etc. Tom directed to go ahead and send the letter and then do the collections. The problem is the amount. Sharon will check to see what the highest amount is that the SDC will collect for us.
- 7) **Clerk of Courts Report** Sharon reported that although we were expecting to pay for another forwarding order, when she got there, they said there was no fee. But they might not forward mail because we had a previous order on file. She believes that at this point most of the citations are coming to the P O Box. Probably 90%. That situation will probably remedy itself. Lana added that Ron (Nowak) has been checking the boxes at the Glenmore Community Center and has been delivering them to her to cover that aspect of the mail delivery.

- 8) Treasurer/Secretary Report** Lana had sent along the letter regarding the Denmark State Bank merger with Bank First. She has not heard any more details about that merger. Also, our next meeting was switched for location between the Towns of Wrightstown and Eaton. It is properly noted on this agenda. July will be at Wrightstown and October at Eaton.
- 9) Financial Report/Review of Expenses. Approval of Payments/Checks to be signed** Lana led the discussion on the April 21,2022 Financial Report. Deposit Detail information is stated on page one. Covers the period of January 21,2022 to tonight. Last deposit made on April 14<sup>th</sup>. Total income \$34,216.10. 9 out of the 10 Towns have paid their dues? Carey made note to check their records. Second page is Accounts Payable. Cell Com still has a credit moving forward. Voided check was lost for a brief time (Check 2425), then found with the file cabinet paperwork. We were originally approved to make a check out to Sharon for the file cabinet between meeting dates, but she opted to add the purchase to her charge card and so we have payment to her listed-on page 2 tonight. The file cabinet was a bargain as Sharon went through Sam's Club. File cabinet is in place in the furnace room at the Community Center, on the cement floor. Thanks to Ron Nowak and Ted Ossmann for getting it inside. Checks # 2425 – 2448 tonight. Accounts Payable \$15,998.83. Last page is the reconciliation. Left shows information from last meeting to tonight. Right is Denmark State balancing. Bottom of page is printout of Denmark State Balance as of 4-14-22, the date of the last deposit for this quarterly report, \$63,330.14. After tonight's checks reach the bank to be cashed the two sides will balance by ending with \$47,331.31. **Motion Rick Loppnow/Mike Calewarts to approve the payments and the financial report as presented. Voice Vote. Carried.**

**10) New Business:**

**A. Next Court Dates: May 5, 2022, July 7,2022 and September 1,2022 at 3:00 PM.** Jim Osterloh interjected that at their annual meeting (and Jim talked to Cpt. Sandburg yesterday) that Town of Eaton will be contracting with Brown County for 8 hours per month starting in January,2023. Discussion followed regarding the services offered and duties performed for the area towns when they either contract or just call the Brown County Sheriff's Department for assistance. Sgt. Lau was very helpful in explaining how they assist municipalities with traffic citations. Sharon will supply the correct e-mail contact address for everyone. If they need scales, they go to a nearby truck stop and use theirs. Hours of officers and how they each handle these contracts was explained. Time periods spent in a town are random, the way to charge the time varies (no tickets, generally no hours charged), no need to be contracted to obtain services because everyone is in Brown County. Some towns call for certain problem areas. Sometimes just having the police car presence helps to curb problem issues in a town. More information shared for those who were not familiar with how this service works. Added benefits of citations for the court explained. Complaints of detour issues being hard on the roads. A common issue is a town being sent a bill for damage to a vehicle due to potholes.

- 11) 2023 Proposed Budget** Sharon offered to go through the budget line by line. Just highlights were mentioned. Eaton's new citations in 2023 should not have a big impact on these budget numbers. Lana explained the plan is that this version of the budget be brought back to the July meeting for more discussion. After that each individual Town would have on either the August or September agenda for action. That would be the final step to adopt which could be accomplished before our October meeting. Numbers are about the same as last year. Note: Page 2, Line 37 Cell Phone-Cellcom. Lana explained the numbers here were based on a quarterly billing. However, the bill is \$32.82 each month and so the new figures would be \$112.00 for column 3, \$197.14 for column 4 and \$396.00 for the last column (2023 Proposed Budget). Sharon asked to have a printer for the Clerk of Courts included for 2023. Her

printer is slowly dying. \$350.00. Will it die soon? What then? **Motion Tom Kempen/Cary Dequaine to allocate \$350.00 in the event that the Clerk of Courts printer fails. Voice Vote. Carried.** Budget discussion continued. Will the annual dues remain the same? Last page shows an expected income of \$8000.00; last year there was a plus also; tonight's report shows we are carrying roughly a \$30,000 balance in the checking. Tom suggested the annual fees be lowered to \$2000.00. Is taking \$5000.00 (\$500 less per year x 10 towns) away from the net income an option? Sharon initiated a discussion on the citation end of the income for the court. If you look at those numbers, come up with a formula, perhaps less could be withheld for citations. That would keep more for the towns who issue citations. Remember the towns getting citation money are also hiring officers. But those towns not issuing citations are not sharing in this court income withheld from citation dollars. Was there a time when towns were not paying an annual fee? It may have started at \$1000.00. In between towns were adding amounts of \$500 at a time. Even Town Chairs and Town Constables can issue citations. When Lana and Sharon discussed this part of the citation income to the court, Sharon stated that this is the most she has ever seen held back. With Sharon's expertise, we could bring options for this to our next meeting. Wording in municipal agreement does not seem to address this. Perhaps there is something in the citation ordinance? What about in old minutes? Lana can look up more of those records. How far to look back? Lana can continue from her last research of the minutes. Sharon gave the example of how a citation is divided. A \$98.80 fine = \$30 Municipal Costs; 26% penalty goes to the State=\$7.80; \$13 Crime Lab; \$10 Jail Fee; \$38 Court Costs (\$5 of that is sent to the State; leaves \$33 kept by the municipality). In depth discussion followed. Fine breakdown is standard. Looking to show municipal portion of citation distribution; how it is determined; wording in agreement; compare to what other joint courts are doing; bring back ideas to next meeting; basically citation income is a 'wash' with hiring officers until the citation is contested; attorney fees at \$200 per hour extra; even at that, most months may break even if you average them out; discussion turned to the risk involved when town officials are doing the job of police officers; many present had situations that were risky and town discontinued the practice; times now are not the same as 20 years ago; Judge tells you to keep sending citations; Towns still have right to issue citations for ordinance violations. Sharon and Lana directed to research options of court funding for the July meeting. How about line 64 about the .70? Sharon explained the monthly court report showing the citation breakdown. Checks written out reflect one check per month to towns involved. Good job, Sharon and Lana. Per Lana and Sharon, "we're a good team".

**12) Adjournment Motion Jim Osterloh/Cary Dequaine to adjourn. Voice Vote. Carried.**  
**7:55 PM**

Respectfully submitted,

Lana Ossmann, BCJMC Treasurer/Secretary

