

Minutes 06-15-23

Brown County Joint Municipal Court Administrative Committee Meeting
Town of New Denmark Town Hall 5531 Town Hall Rd Denmark, WI 54208
Thursday, June 15, 2023, at 7:00 PM

- 1) **Call to Order** The regular meeting of the Brown County Joint Municipal Court Administrative Committee was called to order by Chair Van Lanen on Thursday, June 15, 2023, 7:10 PM at the Town of New Denmark Town Hall.
- 2) **Pledge of Allegiance** Recited by all.
- 3) **Affidavit of Posting** Ossmann reported that the meeting agenda was posted at the Glenmore Community Center, BCJMC website and at the New Denmark Town Hall and website. **Motion Mike Van Lanen/Jeff Zlatohlavek to approve the affidavit of posting. Voice Vote. Carried.**
- 4) **Roll Call and Introductions** Present: BCJMC Administrative Committee and Town of Scott Chair Mike Van Lanen; Town of Eaton Chair Jim Osterloh; Town of Glenmore Chair Ron Nowak; Town of Humboldt Chair Tim Van Pay; Town of Humboldt Supervisor Jeff Zlatohlavek; Town of Morrison Chair Gary Koomen; Town of New Denmark Chair William Krueger; Town of New Denmark Supervisor Mike Calewarts; Town of Rockland Chair Dennis Cashman; Town of Wrightstown Chair William Verbeten; Judge Cletus Hubers; Clerk of Court Sharon Diedrick; and Treasurer/Secretary Lana Ossmann. Absent: Town of Green Bay and Town of Holland.
- 5) **Review and approval of previous meeting minutes (March 16, 2023) Motion Dennis Cashman/Gary Koomen to approve the minutes. Voice Vote. Carried.**
- 6) **Judge's Report** Judge Hubers gave the June 2023 Report
March 2023:
 - Court Appearances: 91 citations 67 defendants
 - 2 appearances
 - 1 trial held (traffic)
 - 1 over the phone poverty/guardian hearing held (Brother handling this for defendant)April 2023:
 - Court Appearances: No court held in AprilMay 2023:
 - Court Appearances: 86 Citations 59 defendants
 - 3 appearances
 - 1 hearing-L.Daniels Dismissed(Morrison)
 - 3 pre-trials

Next court session: July 13, 2023 currently with 102 citations on the docket. Trial scheduled for 3:30 PM
September 21, 2023 currently with 8 citations on the docket This is low because we just switched to the next scheduled court date of September 21st. Officers are notified every time court dates are changed.

a) **Agreement between Municipal Attorney's and Judge to amend**

Now as the defendants plead not guilty, they are directed to the lawyer. Lawyers would probably change the reason for the citation, not the amount of the fine. If Judge could amend from the bench, no need to send defendant to the lawyer. Chair Van Lanen will contact Atty Sickel. If approved by towns and attorneys, the Judge could make decisions rather than send defendant to attorney.

If defendant does not show, they are found guilty by default. Fine could be raised by Judge at that point. Town could not recoup the attorney fees through the fine. Overnight jail fees also cause reductions in the fine.

What do the notices of change of court date mean? There is a cut-off date for each court session. The normal notices of change mean that officers who issue citations should use the next court session date. Will the dates of court ever change once they are set? Tonight, the dates for the 2024 court sessions are being set. Court dates may avoid holidays. The recent notice of change in September was due to the Judge's training date that changed.

- b) **2024 Court Dates** January 4, 2024; March 7, 2024; May 2, 2024; July 11, 2024; September 12, 2024; November 7, 2024.
- c) **Update on Clerk of Courts Position** Sharon posted an application for Clerk of Courts position. She's going to be our back up clerk. Discussion

On another note, Nowak wondered about the defendants who came to the Glenmore Community Center with cash. Officers give them citations and a letter of explanation. The website also tells them how to pay. Everyone has a cell phone to use. Not as many are making mistakes as they used to. Would Glenmore want to put a note on the door of the center?

7) Clerk of Courts Report

- a) Update on Past Due Citation Balances/Disposition Sharon gave an extensive report on the work she has done regarding past unpaid citations. Part of the problem was in the system there were many without due dates.
 - 2015 Uncollectable-written off \$4,229.00 Cannot collect. Too old.
 - 2016 Uncollectable-written off \$5,153.20 Cannot collect. Too old.
 - 2017 Uncollectable-written off \$8,269.60 All of these did get letters. No contact from them. Because of the year citation issued, they had to be written off.

What makes them uncollectable? By statute we can only go back 6 years. They are too old to do anything with. The previous clerk did not complete the records and left things hanging.

- Write off list with reason from defendants that contacted the court. The list explains exactly why the defendant believes they should not pay.
- Citations paid for 2018 and previous tickets \$2,973.80. The amount that we have collected on past due citations so far.
- Defendants list whose citations will be sent to SDC for collection \$8,893.80. Sharon will put into SDC and it is still collectable. State Debt Collection is the WI Department of Revenue. Discussion.

The normal notice process is a 60-day notice if they don't pay their fine. Then, if they do not pay, they get a notice of SDC collection in 30 days. Defendants get three notices from this court process: the ticket, the default letter and the SDC collection notice. They can set up a payment plan. But they need to pay as promised.

- Past due before 2019-need to close out \$17,384.60. (Total due 2018 and before)

The last thing Sharon reported on was the .gov email address. We are working on getting to obtain it for the court. It will be safer, more secure and commonly accepted. The yahoo email address is not always believed to be something other than spam. Discussion followed.

8) Treasurer/Secretary Report

- The \$100 check to her will be to raise the cash on hand at the court to \$200. There are more fines being paid in cash and more change is necessary.
- Do Town Chair get much mail? Or does the Clerk get everything? Examples are that WI Department correspondence goes to both.
- Lana will be gone on vacation from September 17 to September 24. John Roth will fill in for her for the September 21st meeting.

Lana will see that Ron and Gary receive a blue folder of the court documents on creation, operation and amendments.

- 9) **Financial Report/Review of Income/Expense/Certification.** Ossmann led the discussion on the March 17 to June 15, 2023 Financial Reports. Today's ending balance is \$47,092.28. Discussion. Bill asked about investing the money we have. Discussion. Lana or any others are welcome to contact Donna Martzhal for information on what the Town of Wrightstown does. Investments can be deposited or withdrawn as needed. No penalty for withdrawal. Discussion. Lana's only concern is that the position of Treasurer/Secretary probably should not be doing the transfer of money on their own. Regarding Bank First. They figure interest differently than Denmark State. Other issues with the new management also. But the court just ordered checks, didn't they? **Motion Jeff Zlatohlavek /Bill Verbeten to approve the Financial Report. Voice Vote. Carried.**
- 10) **Approval of Payments/Checks to be signed. Motion Mike Van Lanen /Mike Calewarts to approve the checks to be signed. Voice Vote. Carried.**
- 11) **New Business:**
- A. Next Court Dates: July 13, 2023 and September 21, 2023 at 3:00 PM.
- B. Review/amend Bank First authorized checking account signer list. Rick and Tom were 2 of the four signers previously. The two still on the records at Bank First are Dennis and Mike Van Lanen. Discussion. **Motion Jim Osterloh /Bill Verbeten to leave it as it is (2 signers). No vote.** More discussion. If there are more there may be a less chance Lana has to run around after a meeting for signatures. Suggested to add Tim Van Pay and Jim Osterloh (as the third and fourth signer on the account at Bank First). **Motion Jim Osterloh/Bill Verbeten to approve the addition of the two (Jim Osterloh and Tim Van Pay) for our checking account signers. Voice Vote. Carried.**
- C. Temporary Employee Compensation (As a regular employee may be absent from their duties) Discussion. Town of Scott compensates John with a stipend when he covers for the court. Sharon would be compensated at her hourly rate. **Motion Bill Verbeten/Gary Koomen that Sharon would be compensated at her hourly rate. Voice Vote. Carried.**
- D. 2024 Preliminary Budget Discussion. Change after Line 39 (.gov) to be for two emails rather than one. Lana will revise and send to Town Chair and Clerks to be added to their agenda for approval. The .gov email gives more protection from getting hacked. Also provides trust for our court address. Discuss the Glenmore key situation. Glenmore indicated that no change must be made because our clerk of courts may change. Lastly there is a document regarding salaries. Review that regarding future budgets. Judge approves budget for presentation. Administrative Committee adopts budget and has final approval on salaries.

Thank you, Sharon, for cleaning up the citations. Also, you've been great for the court.

- 12) **Adjournment Motion Jim Osterloh/Gary Koomen to adjourn. Voice Vote. Carried. 8:20 PM**

Respectfully,

Lana Ossmann, Treasurer/Secretary
Brown County Joint Municipal Court

