

**COURT COMMITTEE MINUTES  
EASTERN COLUMBIA COUNTY JOINT MUNICIPAL COURT COMMITTEE  
MEETING: THURSDAY, SEPTEMBER 20, 2018; 6:30 PM  
RANDOLPH VILLAGE HALL**

**Roll Call:** Present: Chairperson, Chief Mike Klavekoske, Jeff Slotten (Fall River), Nick Weinberger (Randolph), Stan Stofflet (Rio), Darren Schroeder (Town of Columbus), Dave Hutchinson (Village of Poynette), Steve Williams (Village of Friesland), Angela Ziehmke (Village of Pardeeville), Eric Hansen (City of Lodi), and James Brooks (Town of Lodi). Arriving after roll call vote was Marty Stringfield (Village of Cambria).

Non-voting Members: Clerk Karen Schmitt, Judge William Breunig, Patrick Vander Sanden.

**Approve Agenda:** Motion to approve the agenda by Darren Schroeder, seconded by James Brooks. The motion carried by unanimous voice vote.

**Approve the 8/29/2018 Minutes.** Motion to approve the 8/29/2018 Minutes with the addition of adding James Brooks as members present, by James Brooks, seconded by Angela Ziehmke. The motion carried by unanimous voice vote.

**Discuss fax from Columbus dated 8/31/2018:**  
No Discussion.

**Discuss letters and attachments from Chief Judge William E. Hanrahan:**

Discussion: The letters by Chief Judge William E. Hanrahan cited case law regarding the date a municipality can withdraw from a joint court. A municipality must withdraw at the end of the Judge's term. The attached amended bylaws reflect this change in paragraph 9 under "Termination."

**Approve Amended Agreement.**

Discussion: The attached amended bylaws reflect when a municipality can withdraw from the court. It is stated in paragraph 9 under "Termination."

The other change made to the Bylaws is the attachment of Exhibit A which reflects the municipalities that are part of the joint court. The attached exhibit is added on, so the Agreement doesn't have to be amended every time a municipality joins or leaves the court; just the Exhibit will be amended.

Motion to approve these changes in the Agreement by James Brooks, seconded by Jeff Slotten. All in Favor. Motion carried.

**Discuss part-time clerk's assistant.**

Discussion: James Brooks: We should have a back-up for the clerk. It is felt that we should leave this position in with a cap of 11,000. Darren Schroeder agrees that it should be left in. This would create one position with a cap of \$11,000, adding \$3,100.00 on to expenditures. Total expenditures would be 96,128.14.

Judge Breunig decreased his salary by \$3,800.00 for the 2019 budget so his salary will be \$12,000.00. James Brooks: Do we still go with 2 percent increase for Clerk? Clerk does not receive health insurance. For the 2019 budget, clerk will still receive the 2% increase, but will be reevaluated next year. Benefit package for Clerk to be discussed at next meeting.

**Approve Amended Budget:** Motion by Marty Stringfield to vote on amended budget with total expenses at \$96,128.14 (includes assistant clerk position and decrease in Judge's salary), seconded by Dave Hutchinson. Roll call vote:

Town of Columbus	Yes
Village of Fall River	Yes
Village of Randolph	Yes
Village of Rio	Yes
Village of Pardeeville	Yes
Village of Cambria	Yes
Village of Poynette	Yes
City of Lodi	Yes
Town of Lodi	Yes
Village of Friesland	Yes

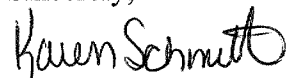
Motion carried.

**Discuss/possible action allowing Wyocena to join court.** Wyocena has expressed an interest in joining the joint court but have not yet presented it to their board for approval.

Discussion: It should be voted on so that if they decide to join, they will be allowed to do so without another meeting. Wyocena would be paying the same start-up fee of \$860.00. Motion to allow Wyocena to join the court by James Brooks, seconded by Eric Hansen. All in favor. Motion carried.

Motion to adjourn by Nick Weinberger, seconded by Dave Hutchinson. Meeting adjourned at approximately 7:30PM.

Sincerely,



Karen Schmitt,  
Municipal Court Clerk

***EASTERN COLUMBIA COUNTY JOINT MUNICIPAL COURT***

*248 W. Stroud Street*

*Randolph, WI 53956*

*(920) 326-3881*

*FAX: (920) 326-3882*

September 25, 2018

Dear Board Members:

Please indicate below whether your respective community has approved or disapproved the 2019 proposed budget and return this letter to me via mail or email at [clerk@eccjmc.com](mailto:clerk@eccjmc.com).

Thank you for your cooperation in this matter.

Very truly yours,

Karen Schmitt  
Court Clerk

Encl.

**Circle One:** Columbus, Fall River, Rio, Randolph, Cambria, Pardeeville, Lodi,  
Poynette, Town of Columbus, Town of DeKorra, Village of Arlington, Village of Dane,  
Town of Lodi, Village of Friesland

\_\_\_\_\_ City Council

\_\_\_\_\_ Village Board

\_\_\_\_\_ Town Board

**APPROVED** \_\_\_\_\_

**DATE APPROVED:** \_\_\_\_\_

**DISAPPROVED** \_\_\_\_\_

**DATE DISAPPROVED:** \_\_\_\_\_

EASTERN COLUMBIA COUNTY JOINT MUNICIPAL COURT - Revised 9/13/2018 (w/Columbus JAN - APRIL 2019)							
	2015	2016	2017	2017 Budget	2018 Budget	2018-7/31/2018	2019 budget
REVENUES							
Forfeiture	\$170,268.34	\$172,410.44	\$196,185.19			\$118,084.30	
Court Fees	\$93,794.30	\$95,016.09	\$121,692.13			\$73,033.20	
Penalty Assessments	\$42,357.58	\$43,025.98	\$49,803.18			\$29,773.70	
Jail Assessments	\$24,289.07	\$24,354.72	\$31,553.93			\$18,426.66	
Driver Improvement Surcharge	\$18,994.27	\$26,293.84	\$23,354.01			\$14,856.14	
Crime Lab Drug Fees	\$31,236.59	\$31,238.06	\$40,542.10			\$24,175.38	
IJD Surcharge	\$150.00	\$700.00	\$500.00			\$524.50	
Safe Rider Program	\$0.00	\$2,411.00	\$2,600.00			\$1,518.50	
Bad Check and Credit Card Fees	\$360.00	\$465.00	\$485.00			\$386.20	
Checking Interest	\$145.47	\$99.92	\$129.41			\$92.89	
Total Revenues	\$381,595.62	\$396,015.05	\$466,844.95			\$280,871.47	\$0.00
Cost of Revenues							
Municipal Fees	\$170,268.34	\$172,148.35	\$196,185.19			\$118,099.87	
County Fees	\$33,893.16	\$38,378.42	\$43,842.93			\$27,203.00	
State Court Fees	\$96,346.05	\$101,767.47	\$120,549.58			\$72,160.27	
Total Costs	\$300,507.55	\$312,294.24	\$360,577.70			\$217,463.14	\$0.00
Gross Profit	\$81,088.07	\$83,720.81	\$106,267.25	\$80,195.12	\$82,121.98	\$63,408.33	\$0.00
Other Revenue	\$13,478.54	\$11,810.50	\$11,280.53	\$11,371.55	\$12,926.98	\$5,355.25	
TOTAL REVENUES	\$94,566.61	\$95,531.31	\$117,547.78	\$91,566.67	\$95,048.96	\$68,763.58	\$101,099.00
EXPENSES							
Clerk's Expense							
	Education	\$320.00	\$244.00	\$340.00	\$1,000.00	\$340.00	\$300.00
	Lodging	\$288.27	\$0.00	\$246.00		\$0.00	\$275.00
	Meals	\$0.00	\$48.23	\$0.00		\$7.90	\$50.00

		2015	2016	2017	2017 Budget	2018 Budget	2018-7/31/2018	2019 budget
	Clerk's Expense Cont.	Mileage	\$215.63	\$292.68	\$201.16		\$0.00	\$250.00
		Wages	\$39,520.00	\$41,860.80	\$43,264.00	\$45,448.00	\$26,208.00	\$46,356.96
	Judges Expense	Education/	\$800.00	\$800.00	\$1,500.00	\$1,500.00	\$700.00	\$800.00
		Lodging	\$164.00	\$164.00	\$0.00		\$164.00	\$175.00
		Meals	\$39.61	\$41.97	\$0.00		\$33.79	\$40.00
		Mileage	\$412.85	\$435.24	\$288.90			\$378.99
		Reserve Ju	\$0.00	\$0.00	\$600.00	\$300.00	\$200.00	\$600.00
		Wages	\$14,533.36	\$15,096.00	\$15,096.00	\$15,500.00	\$9,070.18	\$12,000.00
	Assistant Court Clerk							
		Wages	\$7,441.20	\$7,592.00	\$7,800.00	\$7,800.00	\$7,900.00	\$11,000.00
	FICA		\$4,704.47	\$4,937.86	\$5,061.38	\$5,045.33	\$5,266.87	\$5,068.66
	WI RETIREMENT		\$3,806.42	\$3,759.27	\$3,968.38	\$5,061.24	\$4,083.52	\$3,822.38
	Employee Benefits	Life Insur	\$883.08	\$992.44	\$1,028.40	\$1,000.00	\$1,000.00	\$617.06
	Legal Fees/Accounting		\$3,600.00	\$3,800.00	\$3,900.00	\$3,900.00	\$4,000.00	\$4,000.00
	Insurance	Bond	\$0.00	\$1,038.00	\$0.00	\$0.00		\$1,100.00
		Workers C	\$401.00	\$392.00	\$395.00	\$400.00	\$410.00	\$410.00
	Bank and Returned Check Fees		\$50.00	\$40.00	\$50.00	\$100.00	\$100.00	\$50.00
	Office Equipment	Computer	\$856.45	\$3,952.52	\$1,494.47	\$3,000.00	\$3,200.00	\$2,101.15
	OPERATING EXPENSES							
	Office supplies		\$1,278.73	\$1,351.80	\$1,352.01		\$1,427.89	\$1,200.00
	Postage		\$1,511.11	\$1,487.15	\$1,513.27	\$2,000.00	\$2,100.00	\$1,200.00
	Telephone and Internet		\$2,077.06	\$1,990.33	\$1,850.77	\$2,100.00	\$2,100.00	\$2,500.00
	Translator/Transcription Costs		\$255.00	\$249.37			\$244.02	\$250.00
	RENT						\$800.00	\$1,200.00
	<b>TOTAL EXPENSES</b>		\$85,173.24	\$92,581.66	\$91,266.74	\$91,566.67	\$94,208.39	\$96,128.14
	<b>NET INCOME/LOSS</b>		\$9,393.37	\$2,949.65	\$26,281.04	\$0.00	\$840.57	\$4,970.86

## BUDGET 2019

2019 COURT REVENUES=\$121,371.00

121,371 = Actual revenues of \$117,547 from 2017 and an averaged figure of \$123,444 for 2018. The 2018 actual numbers from January through July = \$73,033. 73,033 divided by 7 months = \$10,433/month. 10,433 x 12 months = \$125,196. (125,196 +117,547=242,743/2=\$121,371.) The reason we used revenue figures from 2017 and 2018 is that Arlington joined the court in 2016, but we didn't start receiving revenue from them until 2017. The figures are more accurate with them included.

### **2019 ESTIMATED TOTAL REVENUES = \$101,099.00**

To arrive at \$101,099.00 which are total revenues without the City of Columbus we used Columbus' actual figures for 2015, 2016, 2017 which totals \$91,223.00. 91,223 divided by 3 = \$30,408.00.

### **WITH THE ADDITIONAL FOUR MONTHS IN 2019:**

Columbus Yearly Average = 30,408.00 / 12months =2,534.00 per month x 4months = 10,136.00

121,371 – 30,408= \$90,963 + 10,136 = \$101,099.00

AGREEMENT FOR THE OPERATION OF THE JOINT MUNICIPAL COURT FOR  
EASTERN COLUMBIA COUNTY  
(Sec. 66.0301 Wis. Stats.)

**AGREEMENT**, entered into this \_\_\_\_ day of \_\_\_\_\_, 2018, by and between the Municipalities shown on the attached Exhibit “A”, all being municipal corporations organized and existing under the laws of the State of Wisconsin, hereinafter referred to as the “Member Municipalities.”

**WHEREAS** Section 755.01(1) Wis. Stats. provides that any municipality may establish a municipal court to be maintained at the expense of the municipality, and

**WHEREAS** Section 755.01(4) Wis. Stats. provides that two or more cities, towns or villages may enter into an agreement under Section 66.0301 Wis. Stats. for the joint exercise of the power granted under Section 755.01(1), after enactment of identical ordinance by each affected City, Town or Village, and

**WHEREAS** the municipalities which are parties to this agreement have enacted identical ordinances thereby creating and establishing a municipal court to serve said municipalities, and

**WHEREAS** the municipalities have expressed willingness to enter into a contract for the joint operation of said municipal court and for, the equitable sharing of the costs thereof, pursuant to Section 66.0301 Wis. Stats.,

**NOW THEREFORE**, in consideration of the benefits to be derived by each municipality from the joint operation of the municipal court, the Member Municipalities contract and agree as follows:

1. **GENERAL.** The municipal court shall be organized and shall operate pursuant to Chapter 755 Wis. Stats., the ordinances adopted by the Member Municipalities, and the terms of this agreement. In the event of conflicts, the provisions of Wisconsin Statutes shall prevail.
2. **ORGANIZATION.** Except for matters required by statute to be determined by the respective governing bodies or Member Municipalities, the general operation of the court shall be by the judge and the Municipal Court Committee.
3. **MUNICIPAL COURT COMMITTEE.**

- (a) **Composition.** The Municipal Court Committee shall be comprised of one representative of each Member Municipality that chooses to appoint a voting representative to the committee who shall be appointed by the Mayor, President or Chairman of the Member Municipality, subject to confirmation by the respective governing body. The Chairman of the Committee will be a representative from a member municipality and will rotate on an annual basis, alphabetically, starting with the representative from Rio for 2019. If a representative cannot fulfill or chooses not to fulfill the obligation of committee chairperson for any reason, then the position of Chairperson goes to the next municipality, alphabetically.
- (b) **Powers and Duties.** The Municipal Court Committee shall have general control over the operation of the court, except where such control is specifically granted to the Judge or the governing bodies by statute, in which case the Municipal Court committee shall be a recommending agency. The Municipal Court Committee shall be responsible for the selection of the Clerk of the municipal court. The Municipal Court Committee shall recommend to the governing bodies for determination, the salary of the Judge, the number and salary of such clerks and/or deputy clerks. The Municipal Court Committee shall cause appropriate bank accounts to be established for the deposit of all fees, forfeitures, assessments and costs paid into the court and shall adopt appropriate accounting procedures to insure the proper handling of said funds. The Municipal Court Committee shall, with the assistance of the Judge and Court Clerk, prepare an annual budget for the operation of the court. The Municipal Court Committee shall cause an annual review of court accounts every four years beginning in 2009 and an annual audit of court accounts every fifth year beginning in 2013, to be completed between August 1<sup>st</sup> and August 31<sup>st</sup> of each year. The Municipal Court Committee may establish any subcommittees necessary for the efficient operation of the court, such as a personnel committee and/or operating committee.
- (c) **Voting and Procedure.** The Municipal Court Committee shall be governed by Roberts Rule of Order and a majority vote of all representatives of the Municipal Court Committee shall be required to adopt any motion or resolution. A quorum of voting members or alternates shall be present to vote on any motion or resolution. A quorum consists of 50% plus 1 voting member.



4. **CLERK.** Pursuant to Section 755.10, the judge shall, in writing, appoint such clerk and deputy clerks as employed by the Municipal Court Committee.

5. **JUDGE'S SALARY.** The salary of the judge shall be set by the governing bodies of Member Municipalities.

6. **FORFEITURES, PENALTY ASSESSMENTS AND COSTS.**

All forfeitures, penalty assessments and costs paid to the municipal court under a judgment shall be deposited daily to a designated bank account at a financial institution selected by the Municipal Court Committee. This account, an interest-bearing account, shall be established by the Municipal Court committee as the temporary depository for court funds. The Municipal Court Clerk shall maintain a complete record of deposits and expenditures including, without limitation, the title of the action, offense for which a forfeiture was imposed and the total amount of the forfeiture, fees, penalty assessments and costs, if any. The Municipal Court Clerk shall prepare a monthly listing of the funds that are due to be disbursed as provided in Sections 814.65(1), 757.05, 167.31(5) and 346.655, Wis. Stats. All forfeitures shall be disbursed by the clerk at least monthly to the Member Municipality for which the judgment was entered.

7. **BUDGET PROCESS.**

(a) **Time and Approval.** The Municipal Court Committee and Court Clerk shall, with the assistance of the judge, formulate a budget annually, no later than September 1<sup>st</sup> of each year for the next succeeding year. The members of the committee shall present said budget to their respective governing bodies for approval. The budget shall be approved annually by the governing bodies no later than November 1<sup>st</sup>. Approval by a majority of the Member Municipalities shall constitute approval of the budget.

(b) **Court Costs.** The local share of the court costs required to be collected pursuant to Section 814.65(1) Wis. Stats. (100%) shall be retained by the court to be applied to the operating expenses of the court.

(c) **Court Operating Expenses.** The net operating expenses after application of the local share of the court costs shall be charged to Member Municipalities based upon each municipality's percentage of total annual filed cases. Contributions shall be based upon the approved budget with appropriate credits and debts being made on the next succeeding billing after annual audit or review. Payment shall be made within 30 days of billing. Initial contributions for

operating expenses shall be based upon the average of the last two years' forfeitures from the last court of record based on Circuit Court records of Columbia County.

- (d) Capital Expenditures and Start-up Expenses. The cost of office furniture and equipment and the initial supplies necessary to begin operations shall be shared equally by the Member Municipalities. Forms shall be considered operating expenses.

- 8. **CONTRACT ADMINISTRATION AND AMENDMENTS.** The affirmative vote of a majority of all member-governing bodies shall be required to adopt any resolution pertaining to the operation of the court or amending this agreement.
- 9. **TERMINATION.** Any Member Municipality may withdraw from this agreement by giving notice in writing to the judge no later than August 31<sup>st</sup> of any year. Upon giving such notice, the Member Municipality's participation in the municipal court shall terminate at the end of the Judge's term. No member, pursuant to Wis. Stats. 755.01(2), may abolish the municipal court while this agreement is in effect.

# EASTERN COLUMBIA COUNTY JOINT MUNICIPAL COURT AGREEMENT

## “EXHIBIT A”

This “Exhibit A” reflects the Wisconsin Municipalities that have agreed to be members of the Eastern Columbia County Joint Municipal Court.

Village of Cambria  
City of Columbus  
Village of Fall River  
City of Lodi  
Village of Pardeeville  
Village of Poynette  
Village of Randolph

Village of Rio  
Town of Columbus  
Village of Dane  
Town of Dekorra  
Town of Lodi  
Village of Arlington  
Village of Friesland

This “Exhibit A” may be amended as other Wisconsin Municipalities request to join the Membership pursuant to Section 8 of the Agreement.

This “Exhibit A” may be amended as Members terminate their Membership pursuant to Section 9 of the Agreement.

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(Date)