

MEETING NOTICE

MUNICIPAL COURT COMMITTEE

DATE: WEDNESDAY, AUGUST 29, 2018

TIME: 6:30 P.M.

**PLACE: RANDOLPH VILLAGE HALL
248 W STROUD STREET**

AGENDA:

1. Approve the Agenda.
2. Approve the 7/31/2018 Minutes.
3. 2017 Review by Deb Wells, Westra, Tillema & O'Connor.
4. Review Proposed Changes to Bylaws.
5. Review/Approve attached Agreement provided by the City of Columbus.
6. Proposed 2019 budget.
7. Consider part-time clerk assistant.

TO: VILLAGE/CITY CLERKS:

PLEASE POST THIS NOTICE IN THE VILLAGE/CITY HALL AS WELL AS FORWARD TO THE REPRESENTATIVE ON YOUR BOARD THAT IS A MEMBER OF THE COURT COMMITTEE.

COURT COMMITTEE MINUTES
EASTERN COLUMBIA COUNTY JOINT MUNICIPAL COURT COMMITTEE
MEETING: TUESDAY, JULY 31, 2018; 5:30 PM
RANDOLPH VILLAGE HALL

Municipal representatives present were the following: Chairperson, Chief Mike Klavekoske, Jeff Slotten (Fall River), Ken Ireland (Randolph), James Olrick (Rio), Darren Schroeder (Town of Columbus), Dave Hutchinson (Village of Poynette), Darren Schroeder (Town of Columbus), Angela Ziehmke (Village of Pardeeville), Gary Steinich, (Village of Friesland), Regan Hendrickson, (City of Columbus), Suzanne Miller (alternate for the City of Lodi, arrived at 5:45). Court representatives: Clerk Karen Schmitt, Bookkeeper Marie Abegglen and Judge William Breunig.

Non-voting persons included Chief Brent Van Gysel, Chief Jeff Becker, Patrick Vander Sanden, and Lt. Dennis Weiner.

The meeting was called to order by Chief Klavekoske at approximately 5:35 PM.

Approve the Agenda: Chief Klavekoske stated that item number 5 (consider health insurance for the clerk) will be removed. Motion to approve the agenda with the change is made by Jeff Slotten, seconded by James Olrick. All in favor -aye-motion carried.

Approve the 3/25/2018 Minutes: Clerk Karen Schmitt said there were two changes: the meeting took place in Fall River in March, and, Marie Abegglen, Bookkeeper was present. Motion to approve the Minutes with these changes by Ken Ireland, seconded by Jeff Slotten. All in favor – aye- motion carried.

City of Columbus' proposal to move the court to Columbus effective January 1, 2019: Patrick Vander Sanden stated that the Columbus City Council is very interested in having the Court in Columbus. Per requests made by the Clerk and the Judge, the current emergency management office will be used for the court clerk's office. They will relocate their EM director to a new location. The City will also pay for the old dispatch window to be reopened and for safety glass to be installed. Court could be held in the City Council Chambers.

Discussion:

Jeff Slotten asks for a reason to move the court. The court is operating efficiently in Randolph and there are no problems. Patrick Vander Sanden states it is a convenience issue as the City of Columbus issues the most citations into the court. Jeff Slotten had statistics about actual numbers of residents that lived in Columbus that attend court and the average was approximately 7-10 per court. He also was concerned that terms of use might change in Columbus as they had in the past. The Court would then have to consider another move.

The cost to move to Randolph was approximately \$1,000.00. Would Columbus pay for the move, the cost of setting up the office security window and the telephone system? Would they be willing to sign a long-term agreement?

Mike Klavekoske asked if the City will leave the Court if the move is not made. Regan Hendrickson stated that it has been talked about in council meetings, but nothing is definite. Gary Steinch wanted a definite answer from Columbus; would they pull out of the court if the move was not made. Regan Hendrickson could not give a definite answer because their city council would have to meet and discuss that issue. Mike asked if Fall River and Rio would also move with Columbus if they chose to leave the court. Chief Becker stated that he does not feel they would move. Chief Van Gysel stated it hasn't been discussed.

Suzanne Miller stated that since there is no representative from Lodi, she will appoint herself to act as an alternate and will have voting rights.

Motion by Regan Hendrickson to move the court to Columbus in January 2019, contingent upon the following factors that will be answered at the August 29, 2018 Budget Meeting:

1. The City of Columbus will pay all moving costs (approximately \$1,000.00)
2. The City will cover cost of renovating the proposed clerk's office by opening the service window and installing safety glass in that window, setting up the phone lines,
3. The City will sign a rent-free long-term lease agreement for 10 years.

Motion seconded by James Olrick. Roll call vote:

Gary Steinch (Friesland)	No
Regan Hendrickson (Columbus)	Yes
Angela Ziehmke (Pardeeville)	Yes
Mike Klavekoske (Chairperson)	No
Ken Ireland (Randolph)	No
Jeff Sloten (Fall River)	No
James Olrick (Rio)	Yes
Dave Hutchinson (Poynette)	Yes
Darren Schroeder (Town of Columbus)	Yes
Suzanne Miller (Lodi alternate)	Yes

Motion carried.

Review/Revise the Court's Bylaws.

Discussion: Chief Klavekoske stated that he feels that a police chief should not be the Chairperson of the court committee meetings, as stated in the Bylaws.


Suggestion: Rotate the Chairperson position alphabetically by municipality, amongst the court representatives. The position of Chairperson would be held for one year. The other

change in the Court Bylaws would be to leave out a number when discussing a “quorum”. This would alleviate further changes in the Bylaws when municipalities are added or subtracted from court membership. Chief Klavekoske said he would work in conjunction with the Clerk to make these bylaw changes and present it to the committee in the next budget meeting of August 29, 2018.

James Olrick made a motion to adjourn the meeting; seconded by Regan Hendrickson.

Meeting adjourned.

Sincerely,

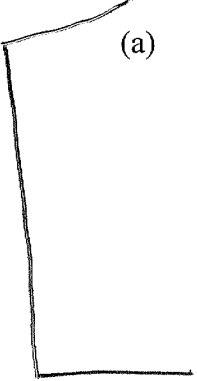
A handwritten signature in black ink that reads "Karen Schmitt". The signature is written in a cursive style with a large, looped "K" and a stylized "S".

Karen Schmitt,
Municipal Court Clerk

3. MUNICIPAL COURT COMMITTEE.

- (a) Composition. The Municipal Court Committee shall be comprised of one representative of each Member Municipality 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 2018-2019. In order to assure participation and continuity of representation, each Member Municipality may appoint an alternate representative who shall act on committee matters in the absence of the representative.
- (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 1st and August 31st 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 members or alternates shall be present to vote on any motion or resolution.

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- 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.

AGREEMENT

This Agreement made the ____ day of _____, 2018, by and between the Municipal Court Committee of the Eastern Columbia County Joint Municipal Court (hereinafter “the Committee”) and the City of Columbus, a Wisconsin Municipal Corporation (hereinafter “Columbus”).

WHEREAS, the Eastern Columbia County Joint Municipal Court (hereinafter “the Court”) provides court services to several municipalities pursuant to an Intergovernmental Agreement executed by all communities that take part in the Court; and

WHEREAS, the Court is governed by a committee created by virtue of the Intergovernmental Agreement (hereinafter “the Committee”); and

WHEREAS, the Court is currently located in the Village of Randolph; however, the City of Columbus has expressed interest in having the day-to-day and courtroom operations of the Court moved to the City of Columbus on a permanent basis; and

WHEREAS, the Committee has expressed interest in having the Court relocate to Columbus upon certain terms and conditions.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Committee and Columbus do hereby agree as follows:

1. Beginning January 1, 2019, the day-to-day operations and the courtroom operations of the Court shall be located in the City of Columbus, specifically at 105 N. Dickason Blvd., the current City Hall.
2. The term of this Agreement will be for 10 years beginning on January 1, 2019 and concluding on December 31, 2028.
3. During the term of this Agreement, Columbus shall not require the Committee to pay rent for having the Court located in the Columbus City Hall. The parties agree

that this Agreement shall not constitute a landlord/tenant relationship between the parties.

4. During the term of this Agreement, the Committee shall have use of the Common Council chambers for conducting courtroom activities at least 3 days per month on a schedule to be agreed upon between the Committee and Columbus.
5. Columbus shall provide adequate space for the Court clerk to work on a day-to-day basis. The parties agree that the initial office for the Court clerk will be located in the office of the Emergency Management Director. Columbus shall arrange for the Emergency Management Director to vacate her office so the Court clerk has sole occupancy of this office.
6. Columbus shall be responsible for remodeling the Court clerk office by opening up the window to the hallway and inserting glass in the window for security purposes.
7. Columbus shall provide a desk for the clerk and a telephone, if requested. Columbus shall contribute up to \$1,000.00 to the Committee to defray moving expenses from the existing court in Randolph to the new court in Columbus.
8. The Committee shall be responsible for any costs associated with providing telephone service to the clerk's office and shall also be responsible for providing computer and any other technical equipment for the clerk as well as any filing cabinets necessary for record keeping. Columbus will be responsible for all other utilities associated with the Common Council chambers and the Court clerk's office.
9. During the term of this Agreement, the Committee shall be responsible for insuring any personal property it maintains in City Hall. Columbus shall be responsible for maintaining structure and liability insurance consistent with its regular practice. Upon request, each party shall provide the other with a certificate of insurance. The Committee agrees to indemnify and hold Columbus harmless for liability for damages or injuries to persons or property with respect to acts of its employees or Court participants.
10. This Agreement shall remain in full force and effect as long as Columbus is a member of the Court, or unless terminated upon mutual written agreement of the parties.

CITY OF COLUMBUS

By: _____
Michael Thom, Mayor

By: _____
Megan Meyer, Clerk

**MUNICIPAL COURT COMMITTEE OF THE EASTERN COLUMBIA COUNTY
JOINT MUNICIPAL COURT**

By: _____
Mike Klavekoske, Chair

Instrument drafted by:
City Attorney Paul A. Johnson
PO Box 256
Lodi, WI 53555
608-592-3877

EASTERN COLUMBIA COUNTY JOINT MUNICIPAL COURT

		2015	2016	2017	2017 Budget	2018 thru 7/31/2018	2019 budget
Revenues							
	Forfeiture	170,268.34	172,410.44	196,185.19		118,084	179,621.32
	Court Fees	93,794.30	95,016.09	121,692.13		73,033.20	103,500.84
	Penalty Assessments	42,357.58	43,025.98	49,803.18		29,773.70	45,062.25
	Jail Assessments	24,289.07	24,354.72	31,553.93		18,426.66	26,732.57
	Driver Improvement Surcharge	18,994.27	26,293.84	23,354.01		14,856.14	22,880.71
	Crime Lab Drug Fees	31,236.59	31,238.06	40,542.10		24,175.38	34,338.92
	IID Surcharge	150	700	500		524.5	450
	Safe Rider Program	0	2411	2600		1,518.50	1,670.33
	Bad Check and Credit Card Fees	360	465	485		386.2	436.67
	Checking Interest	145.47	99.92	129.41		92.89	124.93
	Total Revenues	381,595.62	396,015.05	466,844.95		280,871	414,818.54
Cost of Revenues							
	Municipal Fees	170,268.34	172,148.35	196,185.19		118,099.87	179,533.96
	County Fees	33,893.16	38,378.42	43,842.93		27,203.00	38,704.84
	State Court Fees	96,346.05	101,767.47	120,549.58		72,160.27	106,221.03
	Total Costs	300,507.55	312,294.24	360,577.70		217,463.14	324,459.83
	Gross Profit	81,088.07	83,720.81	106,267.25	80,195.12	63,408.33	90,358.71
	Other Revenue	13,478.54	11,810.50	11,280.53	11,371.55	5,355.25	12,189.86
Total Income		94,566.61	95,531.31	117,547.78	91,566.67	68,763.58	102,548.57
Expenses							
	Bank and Returned Check Fees	50	40	50	100	20	50
	Clerk's Expense						
	Education	320	244	340	1,000.00	340	300
	Lodging	288.27	0	246		0	275
	Meals	0	48.23	0		7.9	50

		Mileage	215.63	292.68	201.16		0	250
		Wages	39,520	41,860.80	43,264	43,264.00	26,208.00	45,448
	Assistant Clerk Expenses							
		Wages	7,441.20	7,592	7,800	7,800.00		7,900
	Employee Benefits							
		Life Insurance	883.08	992.44	1,028.40	1,000.00	617.06	1,000
			3,600	3,800	3,900	3,900.00		4,000
	Insurance							
		Bond	0	1,038	0	0.00		1,100
		Workers Compensation	401	392	395	400	350	410
	Judges Expense							
		Education	800	800	800	1,500	700	800
		Lodging	164	164	0		164	175
		Meals	39.61	41.97	0		33.79	40
		Mileage	412.85	435.24	288.9			378.99
		Wages	14,533.36	15,096	15,096	15,096.10	9,070.18	15,500
		Reserve Judge	0	0	600	300	200	600
	Office Equipment							
		Computer	856.45	3,952.52	1,494.47	3,000.00	1,430.83	2,101.15
	Operating Expenses							
		Office Supplies	1,278.73	1,351.80	1,352.01		1,427.89	1,400
		Payroll Tax	4,704.47	4,937.86	5,061.38	5,045.33	2,698.81	5,100
	Pension Plan Expenses		3,806.42	3,759.27	3,968.38	5,061.24	2,363.57	4,000
		Postage	1,511.11	1,487.15	1,513.27	2,000.00	1,098.30	1,800
	Telephone and Internet		2,077.06	1,990.33	1,850.77	2,100.00	1,394.92	2,500
	Translator/Transcription Costs		255	249.37	0		244.02	250
	Rent						800	
	Total Expenses		83158.24	90565.66	89249.74	91566.67	49169.27	95428.14
	Net Income/Loss		11,408.37	4,965.65	28,298.04		19,594.31	7,120.43