

MINUTES

(Unofficial until approved)

Court Facilities Improvement Advisory Committee
Supreme Court Conference Room, Bismarck
January 30, 2015

Members Present: Sally Holewa, State Court Administrator and Committee Chair; Randi Suckut, Wells County Commissioner, representing counties with populations under 7,500; John Schmisek, Grand Forks County Commissioner, representing counties with populations 7,500 and over; Ron Carlisle, State Senator; and Charles DeMakis, State Bar Association representative.

Others Present: Ward County Commissioner Shelly Weppler; Don Davidson, Architect; Carolyn Probst, Unit 4 Court Administrator; Donna Wunderlich, Unit 3 Court Administrator; Scott Johnson, Assistant State Court Administrator for Trial Courts

Chair Holewa called the meeting to order at 10:00 a.m. for purposes of reviewing the eleventh round of requests for court facilities improvement and maintenance grants. She welcomed as a new members State Senator Ron Carlisle, appointed by Legislative Management, and John Schmisek, Grand Forks County Commissioner, appointed by the Association of Counties as representative of counties with a population of 7,500 or over.

County Presentations

Ward County Applications. Chair Holewa welcomed Shelly Weppler, Ward County Board of Commissioners; Don Davidson, Architect for the county projects; and Carolyn Probst, Court Administrator, for comments regarding the projects.

Don Davidson reviewed the supplemental submission, which represents Phase I of a three phase court renovation project that is being undertaken. Phase I would be directed at upgrades needed in the juvenile probation and court areas. He said there have been ongoing conversations with court staff regarding areas for improvement and construction.

Carolyn Probst reviewed the county's second application, which is directed at jury room renovation (replacement of chairs and cabinets) and ceiling repair and painting. She also noted the revised application, which eliminates some costs that are duplicated in the Phase I project application.

Morton County Application. Donna Wunderlich, Unit 3, Court Administrator, reviewed the application submitted by Morton County. She said the principal focus of the project is to provide enhanced security for the court portion of the building. She said the unique design and location of entrances to the courthouse complicate providing adequate security features for the court space in the building. She said the application has been reviewed and modified several times and should

provide the most cost-effective method of enhancing security. She said the objective is to secure all doors to the courthouse with key-fob entry, with public entry through a single front door.

In response to a question from Sally Holewa, Ms. Wunderlich said approximately \$45,000 of the project cost would be directed at security features for the four doors to the courthouse.

In response to a question from Commissioner Suckut, Ms. Wunderlich said actual court-related space in the courthouse represents about two-thirds of the facility space.

Following the county presentations, Chair Holewa thanked those in attendance for providing information regarding the applications.

Advisory Committee members then turned to a review of 11th Round grant applications.

Grant Applications - Population 7,500 and Over Counties

Burleigh County

Project: Wallpaper, carpeting (judge's chambers and court reporter area); carpeting for hallways outside judge's chambers and between courtrooms; wood blinds (judge's chambers); chairs. Grant request: \$34,171.50.

It was moved by Commissioner Suckut, seconded by Sen. Carlisle, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$34,171.50.

Cass County

Project: Remodel judge, witness, and jury areas in Courtroom 305. Grant request: \$27,422.10.

Staff noted that the application is a resubmission of a 10th Round application with cost adjustments (lower).

It was moved by Commissioner Schmisek, seconded by Commissioner Suckut, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$27,422.10.

Grand Forks County

Project: Carpeting and counters for criminal and civil divisions. Grant request: \$33,367.50.

It was moved by Commissioner Suckut, seconded by Charles DeMakis, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$33,367.50.

Morton County

Project: Door access security controls (reduce number of public entrances); X-ray screening for main public entrance; video conference system (Courtroom 200); carpet (courthouse library); power for cubicles in library; modify bench desktop (Courtroom 301). Grant request: \$76,670.40.

Committee members noted the earlier comments regarding security features of the project and the amount of the courthouse space that is related to court activity. Sally Holewa said that in the past the Advisory Committee has awarded funds on a proportional basis to reflect the partial project cost related to court activity.

Staff said if the cost associated with the door access security control unit were reduced by one-third (\$18,535.78), the two-thirds proportional cost associated with court-related space would be \$35,981.22. A revised project cost would then be \$83,691.42. A related possible award amount would then be \$62,768.57.

It was moved by Commissioner Suckut, seconded by Commissioner Schmisek, and carried unanimously that the project cost be modified to reflect a two-thirds cost adjustment for the control unit, and that the project, as modified, is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$62,768.57.

Ramsey County

Project: Window shades for the courtroom. Grant request: \$3,222.45.

It was moved by Charles DeMakis, seconded by Sen. Carlisle, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$3,222.45.

Richland County

Project: Juvenile court office security measures (security glass, electronic door latch, 2 camera monitors). Grant request: \$4,951.50.

Staff noted that vendor estimates were requested but had not yet been received.

It was moved by Commissioner Schmisek, seconded by Sen. Carlisle, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$4,951.50, with the grant award conditioned on submission of detailed vendor estimates within 90 days of notification of the award.

Rolette County

Project: Install window in clerk's office; LED lighting in the courtroom. Grant request: \$6,065.78.

It was moved by Charles DeMakis, seconded by Commissioner Suckut, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$6,065.78.

Stark County

Project: Cabinets in clerk's office, a set of steps in courtroom, ITV system. Grant request: \$17,036.25.

It was moved by Commissioner Suckut, seconded by Commissioner Schmisek, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$17,036.25.

Stutsman I

Project: Replace fluorescent lights with LED light fixtures on 2nd floor - district court offices and courtrooms. Grant request: \$33,152.96.

It was moved by Charles DeMakis, seconded by Commissioner Schmisek, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$33,152.96.

Stutsman II

Project: Installation of keycard security door for district court breakroom; ceiling tile for conference rooms and hallway. Grant request: \$3,931.50.

Staff noted that an 8th Round grant was for keycard doors related to clerk and district court offices and a 9th Round grant was for installation of keycard access for additional court area doors. He said the keycard portion of the current application was requested in the 10th Round but not awarded.

It was moved by Commissioner Suckut, seconded by Charles DeMakis, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$3,931.50.

Stutsman III

Project: Replace carpet on stairs leading to 2nd floor district court offices. Grant request: \$1,749.82.

Staff noted that the application is a resubmission of the 10th Round application for which funds were not awarded.

It was moved by Charles DeMakis, seconded by Commissioner Schmisek, and carried unanimously that grant funds not be awarded.

Stutsman IV

Project: Remodel lower level to provide more space for juvenile court staff. Grant request: \$56,847.57.

Staff noted that the project includes construction of new witness advocate office and conference room (space lost to the remodel), which arguably is not directly related to space dedicated to court activity. He said the project cost also includes a 5% contingency amount [\$2,977.00] for which grant funds have not been awarded in the past. He said the project cost without the contingency amount would be \$59,537.41, with a related possible grant amount of \$44,653.06.

It was moved by Charles DeMakis, seconded by Commissioner Schmisek, and carried unanimously that the project cost be modified to remove the 5% contingency amount and the costs associated with the witness advocate office and conference room, and that the project, as modified, is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$44,653.06.

Stutsman V

Project: Exterior caulking of 2nd floor windows. Grant request: \$13,308.

It was moved by Commissioner Schmisek, seconded by Charles DeMakis, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$13,308.

Ward County I

Project: Phase I of three phase courthouse renovation project - renovation of juvenile probation and juvenile court areas [revised application]. Grant request: \$290,025.

It was moved by Commissioner Suckut, seconded by Sen. Carlisle, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$290,025.

Ward County II

Project: Juvenile court remodel (juror accommodations, confidentiality and safety enhancements, ceiling repair). Grant request: \$17,571.

It was moved by Charles DeMakis, seconded by Commissioner Suckut, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$17,571.

Advisory Committee members then considered grant applications submitted by counties with populations of less than 7,500.

Grant Applications - Population Under 7,500 Counties

Adams County

Project: Replace windows on 3rd floor; replace fluorescent lights in courtroom; replace rooftop air conditioner for courtroom. Grant request: \$82,877.55

It was moved by Commissioner Suckut, seconded by Commissioner Schmisek, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$82,877.55.

Billings County

Project: Monitor, DVD player, document reader to link to current courtroom sound system.

Grant request: \$5,247.

It was moved by Commissioner Charles DeMakis, seconded by Commissioner Suckut, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$5,247.

Bowman County

Project: Replace hearing and air conditioning systems for courtroom, jury room, and judge's chambers. Grant request: \$23,250.

Staff noted that the application was a resubmission of an 8th Round grant application with minor cost adjustments.

It was moved by Commissioner Suckut, seconded by Commissioner Schmisek, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$23,250.

Burke County

Project: Installation of emergency buttons in various court offices and desks; ballistic liner for clerk's desk. Grant request: \$10,649.39.

It was moved by Commissioner Schmisek, seconded by Charles DeMakis, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$10,649.39.

Divide County

Project: Desk for clerk's office, computer, copier. Grant request: \$5,657.59.

It was moved by Commissioner Suckut, seconded by Charles DeMakis, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$5,657.59.

Dunn County

Project: Jury box with chairs; new elevated, armored judge's bench; desks (court recorder, clerk); counsel tables; elevated witness box; lectern. Grant request" \$29,340.

It was moved by Commissioner Schmisek, seconded by Commissioner Suckut, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$29,340.

Eddy County

Project: Stacking chairs (jury room); paint/repair walls (clerk's office); desk (clerk); flags and stands. Grant request: \$5,422.66.

It was moved by Charles DeMakis, seconded by Commissioner Schmisek, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$5,422.66.

Emmons County

Project: DVD/CD player; touch screen system for ITV; storage cabinets; desk (deputy clerk). Grant request: \$8,669.25.

It was moved by Commissioner Suckut, seconded by Commissioner Schmisek, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$8,669.25.

Grant County

Project: Polycom/ITV system.

Staff noted that a grant was awarded in 10th Round for polycom system, subject to court administrator approval, but the project was not pursued. Grant request: \$25,824.

It was moved by Commissioner Suckut, seconded by Charles DeMakis, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$25,824.

Hettinger County

Project: General court area enhancements (cleaning walls, drapes, carpet; waxing floors; painting walls and ceilings, repairing plaster). Grant request: \$13,231.27.

Staff noted that the grant request includes project costs associated with travel and mileage,

for which grant funds have not been awarded in the past. He said if travel and mileage costs were deducted, the project cost would be \$13,309.73. A related possible award would then be \$9,982.30.

It was moved by Charles DeMakis, seconded by Commissioner Schmisek, and carried unanimously that the project cost be modified to deduct the travel and mileage amount, and that the project, as modified, is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$9,982.30.

Logan County

Project: Replace clerk's desk and vault workstation; replace court reporter's workstation; panic buttons; replace lighting in clerk's office, courtroom, and jury deliberation room. Grant request: \$37,405.22.

It was moved by Commissioner Schmisek, seconded by Charles DeMakis, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$37,405.22.

McHenry County

Project: Clerk's desk, supply cabinet and counter for jury room. Grant request: \$4,715.99.

It was moved by Commissioner Suckut, seconded by Commissioner Schmisek, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$4,715.99.

McIntosh County

Project: Computer for clerk's office. Grant request: \$1,083.60.

Staff noted that the grant application was signed by the county auditor, rather than the chair of the county commission.

It was moved by Commissioner Schmisek, seconded by Commissioner Suckut, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$1,083.60, conditioned on a copy of the application being signed by the county commission chair and returned to the Committee Chair.

Mercer County

Project: Counsel tables with power modules; jury deliberation tables with chairs; chairs for court personnel. Grant request: \$17,001.17.

It was moved by Commissioner Suckut, seconded by Charles DeMakis, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$17,001.17.

Nelson County

Project: Desk and hutch for judge's chambers; chairs (judge, clerk, reporter/recorder, attorneys). Grant request: \$5,891.25.

It was moved by Charles DeMakis, seconded by Commissioner Suckut, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$5,891.25.

Oliver County

Project: Metal detector. Grant request: \$3,212.99.

It was moved by Charles DeMakis, seconded by Commissioner Schmisek, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$3,000 to reflect a uniform initial cost factor of \$4,000 for metal detectors.

Pierce County

Project: Refrigerator for jury room; paper shredder for clerk's office. Grant request: \$636.72.

It was moved by Commissioner Suckut, seconded by Charles DeMakis, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$636.72.

Ransom County

Project: Painting and carpeting (judge's chambers, court reporter area, clerk's office); new counter with swing-gate; chairs (counsel table, bailiff, witness box, clerk, conference room). Grant

request: \$12,845.65.

It was moved by Charles DeMakis, seconded by Commissioner Schmisek, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$12,845.65.

Renville County

Project: Refinish courtroom chairs. Grant request: \$2,835.

It was moved by Commissioner Suckut, seconded by Commissioner Schmisek, and carried unanimously that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award, based on the corrected cost estimate, is \$2,835.

Sargent County

Project: Keypad locks for three general courthouse entrances. Grant request: \$1,812.

Staff noted that grant funds have not been awarded in the past for projects related to general courthouse security projects unless there was some close proximity to courthouse space directly associated with court activity.

It was moved by Commissioner Schmisek, seconded by Charles DeMakis, and carried unanimously that grant funds not be awarded as the project appears to be not directly related to court space.

Sheridan County

Project: Two computer monitors for clerk and deputy clerk. Grant request: \$244.50.

Sally Holewa said the state judicial system would provide one monitor as part of technology support for the clerk's office.

It was moved by Charles DeMakis, seconded by Commissioner Suckut, and carried unanimously that the project cost be modified to deduct the cost associated with one monitor, that the project, as modified, is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$122.25.

Slope County

Project: Metal detector; desk and chair (judge's chambers); judge's chair (courtroom); chairs for clerk and recorder; counsel tables and chairs; chairs for courtroom gallery. Grant request: \$17,708.95.

Staff noted the earlier decision to adopt a uniform cost factor of \$4,000 for metal detectors. He said if the project cost were adjusted to reflect that decision, the cost would be \$22,402.94, with a possible grant amount of \$16,802.21.

It was moved by Commissioner Suckut, seconded by Commissioner Schmisek, and carried unanimously that the project cost be modified to reflect a uniform cost factor of \$4,000 for the metal detector; that the project, as modified, is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$16,802.21.

Towner County

Project: Computer for the public terminal; copier/scanner; flags; gavel set; Keurig coffee set-up for jury room. Grant request: \$4,228.95.

In response to a question from Charles DeMakis, Sally Holewa said the state court system would provide a computer for the public terminal.

Staff said if the cost associated with the computer were deducted from the project, the revised project cost would be \$3,817.53, with a possible award amount of \$2,863.15.

It was moved by Commissioner Schmisek, seconded by Charles DeMakis, and carried unanimously that the project cost be modified to deduct the cost associated with the computer; that the project, as modified, is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$2,863.15.

Wells County

Project: Painting (courtroom, jury room, courtroom hallway); carpet (front portion of courtroom); chair mats for judge's, court reporter's, and clerk's chairs. Grant request: \$9,298.38.

It was moved by Charles DeMakis, seconded by Commissioner Schmisek, and carried that the project is dedicated to facilities improvement/maintenance; the affected facilities are used for chambers, courts, or court-related services; the project is a necessary improvement to the facility; and the amount of the award is \$9,298.38.

Other Matters

Chair Holewa updated Committee members contacts with counties regarding submission of reimbursement requests as directed by the Committee at the last meeting. She said there was a good response from the noted counties. She said Griggs County requested an extension on completing the project for which grant funds were awarded. She noted that reimbursement requests for particular 9th Round grants to Stutsman, Sheridan, and LaMoure counties have still not been received.

It was moved by Commissioner Suckut, seconded by Commissioner Schmisek, and carried unanimously that the noted counties be notified to submit a reimbursement request or the award will be withdrawn.

Committee members agreed the 12th Round should be held in the fall of 2015, with grant applications reviewed in January 2016.

There being no further business, the meeting was adjourned at 1:45 p.m.