

**Minutes: Court Facilities Improvement Advisory Committee**  
Room 131 and via Phone audio conferencing  
**January 25, 2019**

**Members Present**

Sally Holewa, Chair, State Court Administrator

Reinhard Hauck, Dunn County Commissioner representing counties with a population of under 7,500

Nathan Berseth, Richland County Commissioner representing counties with a population of over 7,500

Seth Thompson, representative of the State Bar Association

Diane Larson, State Senator

**Others Present**

Lana Zimmerman, Staff

Sara Behrens, Staff Attorney

Dion Ulrich, Accounting Staff

Rod Olson, District 2 Court Administrator

Donna Wunderlich, District 3 Court Administrator

Chair Holewa called the meeting to order at 10:00 a.m.

**Approval of February 1, 2018 meeting minutes**

**Diane Larson moved to approve the minutes of the February 1, 2018 meeting. Seth Thompson seconded. The motion carried.**

**Past Grant Update**

Chair Holewa reported that for the first time since 2005, all previous grants have been wrapped up and paid out. Bowman County had been awarded a grant for security enhancements but the county decided not to move forward with the project and the funds were released back into the fund.

Chair Holewa referred the members to the comprehensive summary of past awards provided in the materials.

Chair Holewa referred to the Court Facilities Fund reconciliation contained in the materials. There is \$821,001.68 currently available in the fund.

Chair Holewa reminded the members that a quorum of 4 members is required to approve a grant. Chair Holewa explained that for each grant, the committee must determine if the improvement is court-related and that it is a necessary or essential improvement. Rather than two motions for each grant, it was agreed that for each grant one motion will be made which will contain both elements.

Chair Holewa noted that all four unit court administrators were invited and two were able to make it. The other two are available by telephone if needed.

### **Review of 2019 Grant Proposals (15<sup>th</sup> Round)**

#### **County Applications – Populations of less than 7,500**

##### **Adams County**

Grant Request: \$12,207.00

Project Description: jury room touch up, a service contract for ITV, a locker in the jury room, a witness chair, a judge's chair, update to the AV system, and general clean up and maintenance.

Mr. Ulrich noted that it states service contract in the description, but it is really for an evidence presentation system in the courtroom. It was noted that the amount for the update to the AV system plus the items listed on the first page does equal the request.

**It was moved by Mr. Berseeth, seconded by Sen. Larson and carried unanimously that the county be awarded a grant of \$12,207.00.**

##### **Bottineau County**

Grant Request: \$11,115.75

Project Description: Remove existing ceiling tile, install new 2x2 ceiling grid and acoustical ceiling tile, demo 38 recessed can lights, and install 24 2x2 flat panel LED fixtures on existing switches.

Chair Holewa noted that photos and comments were attached stating the lights are not working.

**It was moved by Mr. Thompson, seconded by Mr. Hauk and carried unanimously that the county be awarded a grant of \$11,115.75.**

##### **Divide County**

Grant Request: \$3,459.73

Project Description: Purchase a computer and new copy machine and have a copy machine repaired.

Chair Holewa clarified that the court has a contract with the counties and the county is paid by the hour based on the amount of work we believe we need them to do. The counties are only provided based on the equivalent full-time employees and the county is responsible for the remaining.

**It was moved by Mr. Hauk, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$3,459.73.**

##### **Eddy County**

Grant Request: \$11,322.73

Project Description: Remodel upstairs court office meeting room (remove paneling, sheetrock walls, tape, texture, paint, clean and paint ceiling, new window coverings, add five electrical

outlets), walk-through metal detector, material and labor to install card readers on the courthouse doors.

Chair Holewa noted that typically we have not funded outside courthouse doors because of the general use of the courthouse. This does not state whether it is an inside or outside door. Sen. Larson commented that it would be something to delete if funds were limited but because it is a door to the courthouse, she has no problem funding it. Mr. Berseth agreed.

**It was moved by Mr. Berseth, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$11,322.73.**

### **Griggs County**

Grant Request: \$3,629.22

Project Description: Install court seal in the courtroom, install 2 flags, and purchase 3 computers and 1 monitor.

Mr. Olson confirmed this is for the new courthouse. He does not think they had flags previously. Chair Holewa commented that it is a court protocol. Mr. Berseth indicated he struggles with this request because the courthouse is less than 5 years old and this should have been addressed when the courthouse was built. Mr. Thompson asked whether these types of requests have been approved previously. Chair Holewa confirmed they have been.

Sen. Larson questioned the computer purchases because they received \$12,000 for new computers previously. Mr. Olson clarified that they had trouble bringing the old sound system over to the new courtroom. Mr. Berseth commented it would be nice to have more description. If the funds had been low, he would have struggled with this request. Chair Holewa also noted that “see attached” needs to be avoided because it is difficult to determine what the county is seeking to do.

**It was moved by Mr. Thompson, seconded by Sen. Larson and carried unanimously that the county be awarded a grant of \$3,629.22.**

### **Hettinger County**

Grant Request: \$14,154.28

Project Description: Install air conditioning in chambers, clerks of court office and courtroom.

Mr. Thompson questioned whether we normally pay mileage on these projects. Chair Holewa responded that we don’t and it needs to be deducted.

**It was moved by Mr. Hauk and seconded by Mr. Berseth that the county be awarded a grant of \$13,915.48 which is the requested amount less mileage.**

Mr. Thompson stated that if we are allowing outside door locks because we have sufficient funds, he wants to make sure counties are treated similarly. He questions what the difference would be between allowing mileage and allowing the door locks. Sen. Larson commented that it would be nice to see where the door locks are. She thinks perhaps we should award mileage on

this one. Mr. Berseth noted that there are likely many times where the committee approved a grant that likely contained mileage but it was not itemized.

**Mr. Hauk withdrew his motion.**

**It was moved by Mr. Hauk, seconded by Mr. Berseth and carried unanimously that the county be awarded a grant of \$14,154.28.**

### **LaMoure County**

Grant Request: \$3,413.25

Project Description: Updating security cameras, continuation of updates to judge's chambers, paint two offices, and replace remaining fluorescent fixtures with LED fixtures.

The courthouse custodian will perform all labor/installation except installation of the security cameras. In the past, the committee has not awarded funds for facility staff to perform work. Chair Holewa observed that it is unclear if the paint amount includes labor and she is unsure who is installing the cameras. Mr. Thompson pointed out that the application specifically states in-kind contributions cannot be considered. Mr. Olson noted that he does not believe the paint amount includes the labor.

**It was moved by Mr. Thompson to allow LaMoure County to provide the bids for labor to install the cameras and to approve the award of funds with the condition that the work performed by the janitor would not be included. Sen. Larson seconded and the motion unanimously carried.**

### **Logan County**

Grant Request: \$6,963.20

Project Description: Printer for law library and judge's chambers to enable printing during court and locks for the doors.

Sen. Larson noted that this request lists labor and mileage but mileage is not itemized. Chair Holewa suggested that the committee come up with a hard and fast rule to either pay reasonable mileage as a necessary expense to get contractors to these small counties or that mileage is the county's responsibility and in future proposals the county needs to itemize it out or not include it at all. It was noted that not allowing mileage would penalize small counties.

**It was moved by Mr. Thompson, seconded by Sen. Larson and carried unanimously to allow mileage in today's round and future rounds.**

**It was moved by Mr. Hauk, seconded by Mr. Berseth and carried unanimously that the county be awarded a grant of \$6,963.20.**

### **McIntosh County**

Grant Request: \$16,358.84

Project Description: Upgrade video and conference system, mobile lectern and some light bulbs.

Mr. Olson explained that McIntosh County's IVN system is older and is off warranty period. At this point, the county needs to replace it or fix as needed. He noted it is beneficial to have ITV there.

**It was moved by Mr. Thompson, seconded by Sen. Larson and carried unanimously that the county be awarded a grant of \$16,358.84.**

#### **Oliver County**

Grant Request: \$3,807.00

Project Description: New jury room chairs (12).

Sen. Larson pointed out that Oliver County had received a grant for jury room chairs and a courtroom podium for attorneys previously and is wondering if they are replacing some of the chairs. Staff noted that those were likely the chairs in the actual jury room and these are the chairs for the jury in the courtroom.

**It was moved by Sen. Larson, seconded by Mr. Berseth and carried unanimously that the county be awarded a grant of \$3,807.00.**

#### **Pembina County**

Grant Request: \$8,670.00

Project Description: Purchase chairs for courtroom tables; reupholster juror chairs

**It was moved by Mr. Berseth, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$8,670.00.**

#### **Sheridan County**

Grant Request: \$3,003.07

Project Description: Walk-through metal detector for the court.

**It was moved by Mr. Thompson, seconded by Sen. Larson and carried unanimously that the county be awarded a grant of \$3,003.07.**

#### **Towner County**

Grant Request: \$26,087.80

Project Description: Install video conferencing unit for the courtroom

**It was moved by Sen. Larson, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$26,087.80.**

Mr. Ulrich provided an update on funds awarded (\$124,191.87) and indicated that we have more remaining funds than requested funds.

## County Applications – Populations of more than 7,500

### **Burleigh County**

Grant Request: \$107,611.35

Project Description: Replace carpet and ceiling tiles in courtrooms, replace wallpaper and touch up paint in courtrooms, jury room and SE chamber, replace old lighting with LED troffers in courtrooms, replace blinds in courtrooms, replace jury chairs, combination door handle to courtroom, replace scanner at courthouse security station, and replace desk and table at courthouse security station.

Chair Holewa stated the only somewhat questionable request is the scanner. Typically, we fund courthouse security at the front door for those facilities devoted to the court. In other counties where the courthouse is a general use building we usually contribute a portion based on how much of the building is court functions.

Ms. Wunderlich explained that, unlike smaller counties, the courthouse in Burleigh County houses several courtrooms and court personnel, state's attorney's office, and municipal court. They do provide security for the municipal court as well but the scanner they currently have is one they received from the airport when the airport acquired new equipment. Sen. Larson noted if we are funding door locks then this should be funded as well.

**It was moved by Sen. Larson, seconded by Mr. Hauk and carried unanimously that the county be awarded a grant of \$107,611.35.**

### **Cass County**

Grant Request: \$29,101.95

Project Description: Conversion and setup of a jury assembly/multipurpose room.

**It was moved by Mr. Thompson, seconded by Sen. Larson and carried unanimously that the county be awarded a grant of \$29,101.95.**

### **Mercer County**

Grant Request: \$6,314.52

Project Description: Purchase a copy machine for the clerk's office, two computers for the clerk's office.

**It was moved by Mr. Thompson, seconded by Sen. Larson and carried unanimously that the county be awarded a grant of \$6,314.52.**

### **Morton County**

Grant Request: \$23,733.00

Project Description: Security enhancements at SW entrance and as part of that they will separate the staff and jury entrance from the main entrance.

Ms. Wunderlich explained that currently, everyone is funneled through the entrance on the west side and the county has converted the former health space into a new courtroom and judge's chambers. This would allow a separate entrance and allow people to be screened at a different entrance when needed. Sen. Larson pointed out that the county previously received funds for front entrance security equipment and asked if this is a different entrance. Ms. Wunderlich confirmed this is a different entrance. This would allow a second entrance if needed.

**It was moved by Mr. Thompson, seconded by Sen. Diane and carried unanimously that the county be awarded a grant of \$23,733.00.**

#### **Ramsey County (App. #1)**

Grant Request: \$6,930.00

Project Description: Tint on courtroom windows to stop the glare and to remedy safety and security issues.

Mr. Thompson inquired whether anyone has been to this courthouse. Chair Holewa indicated she has and the clerks are on the first floor and the court and judges are on the second floor. Sen. Larson noted that Ramsey County requested window shades previously. Mr. Olson and Mr. Thompson pointed out safety issues this could remedy such as someone not being able to see into the courtroom.

**It was moved by Sen. Larson, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$6,930.00.**

#### **Ramsey County (App. #2)**

Grant Request: \$45,240.75

Project Description: Install IVN system in the courtroom of local law enforcement center to reduce amount of time spent transporting prisoners.

Chair Holewa stated Unit Administrator, Scott Johnson, had told her this is not a grant the court has requested and not something this committee has ever funded. The committee funds court related services, not jails or law enforcement centers. Sen. Larson pointed out that even though we have funds we should not deplete them when the request does not fit our definition.

**It was moved by Mr. Berseth, seconded by Mr. Thompson and carried unanimously that the county not be awarded a grant for this project.**

#### **Richland County**

Grant Request: \$8,808.38

Project Description: Updating video recording and camera system in the courthouse and adaptive lighting.

Chair Holewa noted that we typically only fund security cameras installed in court-related areas. She questioned whether this was all of the cameras. Mr. Berseth believes it is the majority since they are so grainy.

Mr. Olson explained that it is 5 or 6 cameras on the first floor but they shine down the hallway to where the clerk's office is located and one shines on the door to get to the judge's chambers. Some of these cameras have failed. Chair Holewa inquired whether it is possible to install new cameras but not the same cameras throughout. Mr. Olson confirmed they can be mixed. These are on the third floor which is only the court.

**It was moved by Mr. Thompson, seconded by Mr. Hauk and carried unanimously that the county be awarded a grant of \$8,808.38.**

### **Stark County**

Grant Request: \$24,146.01

Project Description: Jacks and outlets in judge chambers, new desk for courtroom and new jury room on second floor.

Ms. Wunderlich explained that the largest part of this project is the conversion of a judge's chambers back to a jury room. Years ago the jury room was converted to a judge's chambers and the jury room was moved to third floor. Whenever there's a trial, the jurors have to go up the stairs to get to the jury room. However, in recent years there has been a large addition to the courthouse. This created offices for the judges, court recorder and law clerk on the third floor. As a result, the office that was converted years ago is empty. She also explained that the placement of the network jacks in the presiding judge's office would result in cords being strung across the floor. They seek to move the jacks to avoid the trip hazard.

**It was moved by Sen. Larson, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$24,146.01.**

### **Stutsman County (App. #1)**

Grant Request: \$47,069.82

Project Description: Install main floor security consisting of two sets of doors, one set for an x-ray scanner and another for an employee entrance. Installation of x-ray scanner and walk-through metal detector and sun control on the floor to ceiling windows.

Mr. Olson mentioned that Stutsman County has hired a full-time deputy to man the second floor.

**It was moved by Mr. Thompson, seconded by Sen. Larson and carried unanimously that the county be awarded a grant of \$47,069.82.**



**Stutsman County (App. #2)**

Grant Request: \$2,961.53

Project Description: Replacement of countertop on judge's bench and replacement of flooring.

**It was moved by Mr. Berseth, seconded by Sen. Larson and carried unanimously that the county be awarded a grant of \$2,961.53.**

**Stutsman County (App. #3)**

Grant Request: \$2,759.88

Project Description: Replacement of chairs for attorneys, parties, witnesses and bailiffs.

**It was moved by Mr. Hauk, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$2,759.88.**

**Stutsman County (App. #4)**

Grant Request: \$467.98

Project Description: Brochure display.

Mr. Thompson questioned whether this is an essential item.

**It was moved by Mr. Thompson, seconded by Mr. Hauk and carried unanimously that the county not be awarded a grant for this project.**

**Trails County**

Grant Request: \$14,175.00

Project Description: Replacement of air conditioning units.

**It was moved by Mr. Thompson, seconded by Mr. Berseth and carried unanimously that the county be awarded a grant of \$14,175.00.**

**Ward County**

Grant Request: \$4,512.00

Project Description: Carpet replacement in hallway outside judge's chambers and staff offices.

**It was moved by Sen. Larson, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$4,512.00.**

**Williams County**

Grant Request: \$22,664.00

Project Description: Install bullet proof glass, voice amplification talking port, secure document pass through tray for clerk of court counter

Mr. Ulrich calculated the requests granted at \$402,318.31.

Chair Holewa commented that this was a trial run having the court administrators present or at least available by telephone. Everyone found this to be helpful. Chair Holewa will make this a standing invitation.

Chair Holewa brought up the issue of separate requests and asked whether we should direct counties that they can ask for more than one project in a round but direct them to file a separate grant application for each request like Stutsman and Ramsey Counties did in this round.

Sen. Larson noted that if this had not been done we would have needed to pull out the display case from the request. This made it much easier. Mr. Thompson noted that this is also helpful for when funds are tight and security will be a priority. Chair Holewa commented that it is also helpful to have the estimates separated out as well.

Chair Holewa asked for volunteers to comprise a subcommittee to review the minutes and approve. Mr. Thompson and Mr. Hauk volunteered.

Chair Holewa stated the bylaws allow for two rounds to be held with one in summer and one in January. Both can be held or one or the other. Traditionally, we have met only in January because the summer meeting does not work well with budgets.

Mr. Thompson moved that the committee continue to meet in January, Sen. Larson seconded and the motion carried.

Finally, Chair Holewa noted that the Supreme Court put in a bill to reduce the quorum of this committee from a super majority of 4 to a simple majority of 3. So far it has passed the Senate and is with the House.

**The meeting adjourned at 11:39 a.m.**