

Minutes: Court Facilities Improvement Advisory Committee
via Phone audio conferencing
March 5, 2019

Members Present

Sally Holewa, Chair, State Court Administrator

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

Members Absent

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

Others Present

Lana Zimmerman, Staff

Sara Behrens, Staff Attorney

Lisa Herbel – Bottineau County Auditor

Chair Holewa called the meeting to order at 8:30 a.m.

Bottineau County

On February 4, 2019, Ms. Herbel sent an e-mail stating that the work on the project for which a grant had recently been awarded had already been done prior to the award. The Rules require that the grant be for a future project. However, this was an emergency situation and therefore, it is brought before the committee to discuss. At a previous meeting, the committee had attempted to define “emergency.”

Ms. Herbel explained that last summer, in the large courtroom, the ceiling tiles started falling off. It began with only one so the custodian was alerted but then more began to fall off in random spots. It was examined and they could see the entire ceiling was coming down. The track system is connected by wires and the wires were breaking. The county could not take the chance of anybody being injured. The lights were also out of sockets and falling. Because of the risk of injury, the county chose to have the ceiling and lights fixed immediately and apply for a grant in hopes it would be considered.

Ms. Holewa inquired about the total cost of the project. Ms. Herbel stated it was approximately \$15,000. Ms. Holewa asked whether the county has reserve funds for repairs and how the emergency affected the county’s finances. Ms. Herbel stated the cost was taken from the courthouse building and improvement fund but that fund is somewhat depleted due to the new jail being built. If the county does not have the ability to make the payments on the jail those payments will need to also come from the building fund. Sen. Larson asked if the application

was submitted prior to the county realizing that the project had to be completed immediately. Ms. Herbel stated that it was and then they realized they could not take the chance due to safety concerns.

Mr. Berseth moved to approve Bottineau County's application. Sen. Larson seconded. Mr. Thompson stated he is going to vote in favor but wants to make the point that this does fall under some form of emergency where the county acted in good faith to apply for a future project and then realized the project could not wait. Motion carried.

Sargent County

Ms. Holewa explained this application came in late and included a letter stating that it came to their attention that we did not receive the application by the deadline or at all. Ms. Zimmerman spoke with Pam Maloney and she asked Ms. Maloney if she would like to attend today but Ms. Maloney declined. Ms. Zimmerman noted that there have been problems with mail coming from Sargent County and Wahpeton. The application never arrived but she would not be surprised if it arrives at some point in the future. Ms. Holewa asked whether Ms. Maloney had a recollection of when the application was mailed. Ms. Maloney had not stated. Mr. Berseth explained that he spoke with the commissioner and Ms. Maloney and the application had been mailed in early December and they were surprised when Mr. Berseth told them the application had not been in the packet of applications.

Ms. Holewa asked what the wishes are of the committee. Sargent County is requesting \$4,159.29 for wi-fi access. Ms. Berseth moved to approve. Mr. Thompson stated that because Sargent County has represented that the application was sent and they are not asking for permission to send a late application he will second. Ms. Holewa called for an advisory vote as Sen. Larson left the meeting and a quorum was no longer present. Another meeting will be set to vote on the advisory decision.

All voted in favor and the meeting was adjourned. Another meeting notice will be sent.