

**Minutes: Court Facilities Improvement Advisory Committee**  
Room 131 and via Phone audio conferencing  
**January 17, 2020**

**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 9:03 a.m.

**Approval of April 4, 2019 meeting minutes**

**Diane Larson moved to approve the minutes of the April 4, 2019 meeting. Seth Thompson seconded. The motion carried.**

**Past Grant Update**

Chair Holewa reported that a grant was provided to LaMoure County in 2019 contingent on submission of estimates. Ms. Holewa contacted them in February and the estimates were submitted and the project completed. Mr. Ulrich reported that the grant was paid out. The only outstanding grants are two out of Stutsman County which were delayed due to vendor availability and scheduling issues.

Chair Holewa referred to the Court Facilities Fund reconciliation contained in the materials. There is \$840,944.77 currently available in the fund.

Chair Holewa reminded the members that the quorum requirement was changed during the 2019 Legislative session and a quorum of 3 members is now 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 making the entire long motion each time, in the past it has been agreed that a motion to approve the grant means the full motion. There was no objection to continuing to use that procedure.

Chair Holewa noted that all four unit court administrators were invited and two were able to make it. Mr. Olson is on the phone and Ms. Wunderlich is present in person. Ms. Probst is out of the country and Mr. Johnson had a scheduling conflict.

### **Review of 2020 Grant Proposals (16<sup>th</sup> Round)**

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

##### **Bottineau County**

Grant Request: \$12,782.94

Project Description: Bulletproof window system for clerks' office and eight chairs for the courtroom.

**It was moved by Mr. Thompson, seconded by Sen. Larson and carried unanimously that the county be awarded a grant of \$12,782.94.**

##### **Burke County**

Grant Request: \$4,938.50

Project Description: It appears to be bathroom work in the jury room bathroom.

Chair Holewa noted that she will tell the county to be more specific when submitting future requests.

Sen. Larson initially moved to approve the grant, but following discussion, she withdrew her motion and the request was tabled.

##### **Divide County**

Grant Request: \$3,472.25

Project Description: Purchase two standing desks and anti-fatigue mats and two computers. The original request was for three computers (grant request of \$4,792.50) but the court is obligated to provide a certain number of computers and will provide the third. This reduced the request amount.

**It was moved by Mr. Thompson, seconded by Sen. Larson and carried unanimously that the county be awarded a grant of \$3,472.25.**

##### **Eddy County**

Grant Request: \$21,225.00

Project Description: Repairs to masonry around two windows, repairs to outside bricks above emergency exit door of courtroom, repair stone by front steps and replace top two broken stone caps on front steps.

**It was moved by Mr. Berseth, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$21,225.00.**

**Grant County**

Grant Request: \$1,585.09

Project Description: They would like to replace a camera which is no longer compatible since the upgrade to Windows 10.

Ms. Wunderlich noted that the judges in the district are not in favor of this project. There aren't cameras in other courtrooms and have declined to add them when asked previously. This was installed without approval and they don't think it is appropriate to replace it. She noted that the sheriff comes to court and the clerk uses the camera to listen to court. The judges would prefer to have the clerk present in the courtroom.

Mr. Berseth stated that if the county and the judges can work it out it can be resubmitted for the next round.

**It was moved by Mr. Berseth, seconded by Sen. Larson and carried unanimously that the request be denied.**

**Hettinger County**

Grant Request: \$8,507.71

Project Description: They are looking to install electric door openers to the men's and women's bathrooms on the second floor.

Sen. Larson pointed out that this sounds like ADA which we do not fund.

It was noted that other agencies are also on the second floor. There was some discussion of funding part of the request. Ultimately, the committee determined that this looks to be an ADA compliance issue and if it isn't that should have been explained by the county.

**It was moved by Mr. Hauk, seconded by Sen. Larson and carried unanimously that the request be denied.**

**LaMoure County**

Grant Request: \$270

Project Description: Three battery backups for the computers in the courtroom and clerks' office.

**It was moved by Mr. Berseth, seconded by Sen. Larson and carried unanimously that the county be awarded a grant of \$270.00.**

**Logan County #1**

Grant Request: \$1,554.75

Project Description: Installing keycard access to the clerks' office.

Sen. Larson noted that there is another request in the binder to change from a keypad to a keycard and she asked whether that is what is being done here. Mr. Olson stated that he believes it is only a normal key at this time. This is just for the clerk's office.

Mr. Thompson pointed out that when we are discussing keycard and keypad access, the keycard is safer because the access can be turned off to a particular card.

**It was moved by Mr. Thompson, seconded by Mr. Berseth and carried unanimously that the county be awarded a grant of \$1,554.75.**

**Logan County #2**

Grant Request: \$3,790.28

Project Description: Replacement of the video display which went out.

Chair Holewa clarified that the counties were requested to split multiple requests.

**It was moved by Mr. Berseth, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$3,790.28.**

**McIntosh County**

Grant Request: \$2,755.50

Project Description: Purchase a paper shredder, reupholster three courtroom chairs and upgrading the padding on the 12 jury chairs.

Mr. Thompson noted that we have purchased chairs in the past. Ms. Holewa stated that we have funded chair purchases, reupholstery and repadding of chairs.

**It was moved by Mr. Thompson, seconded by Mr. Hauk and carried unanimously that the county be awarded a grant of \$2,755.50.**

**Oliver County**

Grant Request: \$1,841.24

Project Description: Replacement of some of the bulletproof materials in the courtroom.

**It was moved by Mr. Berseth, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$1,841.24.**

**Pierce County**

Grant Request: \$6,344.25

Project Description: Cover letter provides they are requesting purchase and installation of carpet, purchase of chairs and electrical work.

**It was moved by Mr. Berseth, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$6,344.25.**

**Ransom County #1**

Grant Request: \$1,350.00

Project Description: Retrofit 40 lights with LED bulbs.

**It was moved by Mr. Thompson, seconded by Mr. Berseth and carried unanimously that the county be awarded a grant of \$1,350.00.**

**Ransom County #2**

Grant Request: \$12,900.00

Project Description: Reroof the courthouse. They have divided it into three levels and have done the math.

Chair Holewa asked whether the court facilities take up one floor. Mr. Olson explained that the court is on the third floor and the majority of that floor is the court facilities but the extension office is also located on the third floor.

**It was moved by Sen. Larson to approve 1/3 of cost as requested, seconded by Mr. Berseth and carried unanimously that the county be awarded a grant of \$12,900.00.**

**Ransom County #3**

Grant Request: \$22,101.30

Project Description: Installation of video conferencing in the courtroom.

Mr. Olson confirmed that this a new system and the court is supportive of the request. This will allow for conferencing in event of weather issues, time limits to avoid the judges traveling for only a hearing or two and with the new drug court in Richland it will be useful if expanded to neighboring counties such as Ransom.

**It was moved by Mr. Hauk, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$22,101.30.**

**Sargent County**

Grant Request: \$25,300.53

Project Description: Emergency escape ladders, smoke alarms/low temp sensors and video conferencing.

Mr. Berseth knows they have a lot of issues with the temperature in the building. Mr. Olson noted the court is in favor of the ITV.

**It was moved by Sen. Larson, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$25,300.53.**

**Towner County**

Grant Request: \$16,197.18

Project Description: Replacement of windows.

**It was moved by Mr. Thompson, seconded by Mr. Berseth and carried unanimously that the county be awarded a grant of \$16,197.18.**

**Wells County**

Grant Request: \$626.49

Project Description: Purchase of 12 chairs for jury/breakroom.

**It was moved by Mr. Berseth, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$626.49.**

### **Burke County – Revisited**

**It was moved by Mr. Berseth, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$4,938.50.**

Mr. Ulrich provided an update on funds awarded so far - \$137,450.21. There is \$703,494.56 remaining.

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

#### **Burleigh County**

Grant Request: \$35,769.75

Project Description: Altering the judge's bench/court reporter desk. Replace carpet and upgrade security alarms.

Ms. Wunderlich explained that when the judge's bench was originally built there was a desk perpendicular to the judge's bench but because the court reporter can't see the judge the court reporter never actually sits there. The proposal is to remove the court reporter desk, replace the carpet and build a similar desk to the one they are using that matches the rest of the bench.

**It was moved by Mr. Thompson, seconded by Sen. Larson and carried unanimously that the county be awarded a grant of \$35,769.75.**

#### **Cass County**

Grant Request: \$5,475.00

Project Description: Updating the door locking mechanisms on four office doors to utilize the card swipe technology.

**It was moved by Mr. Berseth, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$5,475.00.**

#### **Richland County**

Grant Request: \$934,800.00

Project Description: Adding an addition to the existing courthouse which will be the central entry for security.

Chair Holewa noted that we received an unofficial Attorney General's opinion on the ability to approve new construction a few years ago when Cass County was doing a remodel. The opinion

was that if it's an addition to an existing structure it can be funded but if it is freestanding new construction it cannot.

Sen. Larson noted that it appears a county commission meeting room is being included. It seems that this would not be court-related. Mr. Berseth stated that right now the commissioner meeting room is in the courthouse and used 90% by court staff but the point is fair.

This request was tabled until the end.

### **Stark County #1**

Grant Request: \$5,546.00

Project Description: Installation of cabinets and countertops in the new addition for use by judges and judge's staff.

Ms. Wunderlich explained that a few years ago a large addition had been added to the courthouse. The third floor they decided to finish as offices for judges and court reporters and this was done without facility grants. This is where the network copier and printers are located.

**It was moved by Mr. Berseth, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$5,546.00.**

### **Stark County #2**

Grant Request: \$2,790.00

Project Description: Repurposing of Judge Herauf's chambers on the third floor for the calendar control clerk.

It was noted that this move would put the calendar clerk into a secure area where the public would not have access. Typically, calendar control clerks are available to the public and attorneys. There was also concern expressed about the cost of painting the room.

Ms. Wunderlich noted that there will likely be a request next year to move the bathroom and turn the west half of the third floor into a courtroom.

**It was moved by Mr. Thompson, seconded by Mr. Berseth and carried unanimously that the request be denied due to the above-noted reasons.**

### **Stutsman County**

Grant Request: \$14,246.38

Project Description: Remodel of Courtroom 1.

Mr. Olson explained that they remodeled the judge's bench a couple years ago. This is the main arraignment courtroom. The door is to the side and behind the judge's desk. Prisoners walk very close to the jury and there are security concerns. This is essentially phase 2. They want to shift the jury box and the counsel tables will need to be adjusted.

**It was moved by Mr. Berseth, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$14,246.38.**

### **Ward County**

Grant Request: \$14,342.25

Project Description: Window shades, public access to courtroom, secure counter to prevent public from entering the court administration office. Ms. Probst is out of the country but currently, they have to go into the judge's secure hallway to get to the courtroom.

**It was moved by Mr. Berseth, seconded by Mr. Thompson and carried unanimously that the county be awarded a grant of \$14,342.25.**

Mr. Ulrich calculated the requests granted and reported that \$628,115.18 remains.

**It was moved by Mr. Thompson and seconded by Sen. Larson to award the balance to Richland County.**

There was discussion of how to award the money and whether Richland County should amend the request and resubmit breaking the project into phases. It was noted that it is unlikely that the project will be completed by next grant round. Chair Holewa noted that the grants have not previously been done this way. Mr. Berseth thinks there is a good chance the County Commission will push the project forward and fund the remainder rather than risk waiting until next round.

Chair Holewa called for the vote on the motion. Mr. Berseth asked whether he should abstain. Sen. Larson moved that he not abstain and everyone was in favor.

**The motion carried.**

Chair Holewa noted there are two other pieces of business before we adjourn. First, we typically appoint a two person subcommittee to approve the minutes and post them. Sen. Larson and Mr. Thompson volunteered.

The second is the timing of the next grant round. We can do a round in July but typically do not do this due to county budget timing and the small amount of money in the fund at that point. The preference is to wait until January, notice in September and requests due by December 31.

Mr. Hauk noted that he is not running for reelection and we will have a new member next year.



The meeting will be set for a Friday at 8am if possible to accommodate Sen. Larson as everyone else is flexible.

**The meeting adjourned at 10:26 a.m.**