

CASS COUNTY BUILDING COMMITTEE AGENDA
APRIL 1, 2024
Commission Room, Cass County Courthouse
2:00 PM

1. CALL TO ORDER

Roll call of members

Approve minutes of previous meeting—January 2, 2024

2. SPACE NEEDS UPDATE

3. UPDATE ON CURRENT BUILDING PROJECTS

- a. Law Enforcement Storage Building
- b. Jail Addition
- c. Robert D. Johnson Building
- d. Highway Department
- e. Equalization Office
- f. State's Attorney's Office
- g. Finance Office

4. OTHER BUSINESS

5. ADJOURNMENT

**CASS COUNTY BUILDING COMMITTEE
JANUARY 2, 2024— 2:00 PM**

1. MEETING TO ORDER

A meeting of the Cass County Building Committee was held at 2:00 PM on Tuesday, January 2, 2024, with the following members present County Commissioner Jim Kapitan, County Commissioner Chad Peterson, County Sheriff Jesse Jahner, County Administrator Robert Wilson, and County Finance Director Brandy Madrigga. Absent was District Court Judge Wade Webb Also present was Assistant County Administrator Tracy Peters, County Commissioner Tony Grindberg, County Engineer Jason Benson, Information Technology Director Bob Henderson, and Buildings and Grounds Supervisor Gene Gartner.

2. MINUTES APPROVED

MOTION, passed

Ms. Madrigga moved and Mr. Jahner seconded that the minutes of the previous meeting held on November 20, 2023 be approved as written. Motion carried.

3. LAW ENFORCEMENT STORAGE BUILDING

Mr. Wilson said the County has engaged Micheal J. Burns Architecture (MBA) to create options to construct a storage building on the County Law Enforcement Center (LEC) campus. He said based on the current equipment stored at the Highway Department, MBA recommends an 80 by 130-foot building totaling 10,400 square feet. He said various placement options have been considered and are presented for the Committee's feedback today.

Mr. Jahner said the most recent option considered is option eight. He said this is his preferred option as it allows the Sheriff's Office to continue to utilize as much of the parking area as possible. He said the parking area is often used to store seized property and to conduct training exercises. Mr. Gartner asked about the turning radius for trucks with option eight. Micheal J Burns was present and said he wanted to test the turn radius with this option and the plan allows ingress and exiting the property, however, if moving a large truck and trailer, it may be difficult to maneuver. He said the plan allows the flexibility of going to the entrance on the other end of the building. He said an aircraft hangar door would also help with maneuverability inside the building.

Mr. Peterson asked if the breezeway is stand alone or attached to the existing building. He said there are additional building regulations for a larger building and constructing an addition versus a new building. Mr. Burns said the benefits of having the breezeway attached are for snow and water runoff. He said the breezeway could be open or closed. Mr. Gartner said the breezeway is not needed, Buildings and Grounds could clear the area of snow using the Bobcat. Mr. Peterson asked if this building plan accounts for future growth. Mr. Burns said the plan accounts for storing all current vehicles and equipment 5 feet apart. He said the plan does not include a large amount of space for growth. Mr. Peterson said the Committee should consider an additional bay to allow for additional space for equipment to be stored in the future. Mr. Wilson asked if the current agreement would allow for Mr. Burns to create one more hybrid option, "option 9" that includes space for growth. Mr. Burns said he needs to check on the budget for the project, however, believed yes, that would be within the scope of the current agreement.

4. SPACE NEEDS DISCUSSION

Mr. Wilson said at the Commission meeting on November 20, 2023 there was Commission discussion about planning for future county facility growth. He said several options were discussed and no action was taken. He said following that discussion, Mr. Peterson, Mr. Grindberg, Ms. Peters, and Mr. Wilson

met to discuss potential scopes for short term and longer term space needs planning and identified focus areas of: review options and provide recommendations for alternative Information Technology (IT) Department locations, review options and provide recommendation for additional secure courtroom in the current IT office space, options for an additional secure courtroom, options for an alternative space for the State’s Attorney’s Office in a location that could consolidate the entire department to one area, and effective utilization of the Annex Building.

Mr. Peterson said the primary need of the Robert D. Johnson (RDJ) building will be to plan what is needed to utilize the space for election storage and training space. He said there is much space throughout the Courthouse and Annex that is not utilized. He said over the past several years the County has completed small projects and a larger scope project to utilize space is needed to look five plus years out. He said the Human Service Zone (HSZ), District Court, and State’s Attorney’s Office will need additional space in the coming years and difficult conversations will be needed. Ms. Madrigga said space utilization of the RDJ Building should be included in the space needs planning efforts.

Mr. Peterson said the Commission will consider today to move forward with looking for a spot to relocate IT and start planning for an additional courtroom, which was recommended by the Building Committee. He said for the Building Committee’s recommendation today is what will come after IT is relocated and the additional courtroom construction. Mr. Jahner asked what the next step is. Mr. Peterson said the next step is to put out a request for proposal (RFP) and hire an architect or space planner to help figure out the future needs of the County. Mr. Grindberg said his suggestion will be a hybrid plan that includes relocating IT, the additional courtroom, looking at the Annex space, and the square footage needed for the State’s Attorney’s Office. Mr. Peterson said the direction from the Building Committee should be to have administration draft an RFP. Mr. Jahner said the Committee should wait to vote on a decision to move forward until the Commission acts on relocating IT and moving forward with the additional courtroom this afternoon.

5. UPDATE ON CURRENT BUILDING PROJECTS

Highway Addition

Mr. Wilson said the Highway Addition project is moving along quickly and on schedule. Mr. Benson said the bathroom fixtures and stalls have been put in. He said the project will be finished by the end of February.

Jail Addition

Mr. Wilson said there are weekly meetings for the Jail Addition project with the contractors and subcontractors. He said the project is moving along smoothly. Mr. Gartner said the drier weather is helping the project move along. He said some of the precast walls have been installed, the underground plumbing is being worked on, and electrical work is beginning. He said the project is on schedule.

Robert D. Johnson Building

Mr. Wilson said County staff have been working with Fargo Parks staff to draft a purchase agreement for the RDJ building. He said the next step is to work with the Finance Office to see what is needed in the building for election storage. He said there are current tenants in the RDJ Building the County intends on allowing to stay. Ms. Madrigga said part of the conversation is to keep the current tenants with Fargo Parks and the County will get information on the current tenants once the purchase agreement is finalized. She said the County previously engaged Foss Architects and Interiors on the election storage project and staff need to go back to Foss after the purchase to determine the next steps. Mr. Wilson said

he will go back and look at the agreement with Foss to determine if the current agreement and scope will allow the project to move forward or if an additional RFP is required.

Equalization Office Remodel

Mr. Gartner said the Tax Equalization Office remodel project is complete. He said furniture for the new offices has not arrived and once it is received the department will move from the current offices into the new space.

State's Attorney's Office

Mr. Gartner said an additional office is being added to the State's Attorney's office area to create a workspace for new staff approved as part of the 2024 budget. He said the project should be completed in the next two to three weeks.

Finance Office

Mr. Wilson said additional offices will be built in the back vault of the Finance Office to create workspace for additional Finance Office staff approved as part of the 2024 budget.

6. OTHER BUSINESS

There was no other business.

7. UPCOMING BUILDING COMMITTEE SCHEDULE

The Building Committee's next meeting will be held on February 5, 2024.

8. ADJOURNMENT

MOTION, passed

On motion by Mr. Kapitan and seconded by Mr. Jahner and all in-favor, the meeting was adjourned at 3:06 PM.

Minutes prepared by Taylor Kaushagen, Commission Assistant



Administration

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wilsonro@casscountynd.gov

MEMO

TO: Cass County Building Committee & County Commission

FROM: Robert W. Wilson

Date: March 18, 2024

Subject: Space Needs Efforts To-Date and Options

On January 2, 2024, the County Commission unanimously approved the following motion related to relocating the County Information Technology Department within the Courthouse or Annex Building to allow the space to be remodeled into an additional secure courtroom:

“...to authorize the County to engage TL Stroh to identify relocation options for the County Information Technology Department within the Courthouse or Annex Building to include needed updates/remodel and provide cost estimates as well as prepare a report for conceptual options for State’s Attorney offices to locate in the Annex that assess square footage requirements and evaluates workflow, employee headcounts and public access for Human Service Zone operations in the Annex. Further, upon identification of an alternative IT Department location, to engage Foss Architects to develop construction plans for a secure courtroom in the existing IT office location.”

To date several steps have been taken to accomplish these interrelated tasks:

1. TL Stroh Architects:
 - a. Architect Derek Diers has toured the entire Courthouse and Annex buildings.
 - b. Mr. Diers has reviewed the current square footage of each office located in the Courthouse and Annex buildings.
 - c. Mr. Diers has meet with the County Administrator and Assistant Administrator, Human Service Zone Director, Juvenile Courts Director, and State’s Attorney.
 - d. Mr. Diers has provided an initial assessment of where a relocated IT Office could be if that were a stand-alone objective. (Previous secure juvenile detention area on first floor of Annex Building.)
2. Foss Architecture + Interiors:
 - a. Mr. Steve Skoblik has provided, and County approved, an agreement to provide schematic designs through bidding and construction administration of the new courtroom at a cost of \$100,000.
 - b. Design work is currently underway but will not proceed until the new courtroom space is vacated.

At this point, based on Mr. Diers work it appears there are two potential courses of action the County could pursue. These options are described below as Option #1 & Option #2.

Option #1:

- Demo current juvenile detention area on the Annex 1st floor to buildable condition for office space.
- Engage Architect to design building plans/layout/construction drawings for Cass County Information Technology Department in demoed area.
- Solicit proposals and engage contractor to build IT department space in former juvenile detention area.
- Solicit proposals and engage contractor to build secure courtroom in current IT location once space is vacated.
- When new IT space is completed, transition IT Department from current location to newly constructed IT space.
- Once IT is relocated, demolition/construction of secure courtroom in former IT office location.

Pro's:

- Quickest way to gain additional secure courtroom capacity in Cass County Courthouse.
- Most cost-effective way to add an additional secure courtroom.

Con's:

- Does not allow for master-planning effort that could ultimately identify a more suitable location for IT Department.
- IT staff, visitors, and vendors would access office space through current juvenile courts office space.

Option #2:

- Develop a Cass County facilities 10-15 year masterplan built around the following goals:
 - Identify the area best suited for relocation of Information Technology Office.
 - Identify the highest traffic offices (County, Zone and/or Courts) that should be located on 1st floor of the Courthouse and Annex Building.
 - Identify most appropriate areas of 2nd, 3rd or 4th floor of Annex Building for relocation of State's Attorney's Office.
 - Engage state partners to collaboratively identify future court needs, funding sources and layout in areas vacated by State's Attorney's Office.
 - Identify relocation options for remaining displaced offices across the Courthouse, Annex Building and RDJ Buildings based following criteria:
 - Offices that interact with the public should be located in secure buildings.
 - Offices with highest traffic volumes should be located closest to exterior doors for ease of public access.
- Upon completion of planning process, 2nd Floor Courthouse secure courtroom will be first construction priority.
- Identification of a phased approach to accomplish masterplan goals that includes timelines and budget estimates.

Pro's:

- Comprehensive plan that accounts for wider range of County growth needs from the outset.
- Long-term, this is likely the less expensive path to meet county facility needs over the next 10-15 years.

Con's:

- Significantly more expensive than Option #1
- Longer timeline for completion of immediate priority – relocating IT office and building additional secure courtroom.

The matter of needed additional court space in Cass County has not only generated significant attention and debate at both the County Building Committee and Commission levels. It has also received state-wide attention in the form of the December 13th letter from the Honorable Chief Justice Jon J. Jensen of the North Dakota Supreme Court and Commissioner Grindberg's response letter dated February 8th. Both are attached for review.

At this point specific cost estimates and schematic designs have not been requested because it appears to staff the available options represent two fundamentally different approaches to future County space planning. If Option A is selected, the bulk of the effort described in Option B will still need to occur. The difference is, should the full scope of Option B take place at the outset of this project or after the IT Department has been relocated to an existing available location and the courtroom remodel project is underway -or- should the appropriate IT Office location be determined as part of an overall facility master planning effort? Staff and our contract partners are prepared to efficiently pursue either option, but we feel policy-level guidance is needed at this point.

I recommend the County Building Committee review and consider recommending one of the two options described above at their meeting on April 1, 2024. This same information, and the Building Committee's recommendation may then be considered by the County Commission at the April 15th meeting with the anticipation the Board may authorize proceeding with one of the two options as presented or amended.



STATE OF NORTH DAKOTA
SUPREME COURT

CHAMBERS OF
Jon J. Jensen
CHIEF JUSTICE

December 13, 2023

Chad M. Peterson
Cass County Commissioner – District 1
Cass County Courthouse
211 9th St. S.
P.O. Box 2806
Fargo, ND 58103

Re: Cass County Courthouse Expansion

Dear Commissioner Peterson:

Thank you for our prior opportunities to speak via telephone about expansion of the Cass County Courthouse. As we discussed, the Judicial Branch is very thankful for all of the improvements that have previously been made at the Courthouse. The new courtrooms in the west addition to the Courthouse are among the best in the state. Continuation of the positive partnership the Judicial Branch has had with Cass County is a priority for the Judicial Branch. Without the resources provided by the Cass County Commission and the Commission's recognition of the importance of a secure facility, the Judicial Branch would not be able to provide the level of service to which the citizens of Cass County are entitled.

It is my understanding the Commission is considering how to proceed with requests to expand the Courthouse. I am aware of at least two options, and there may be more. The Court supports the addition of a secure courtroom in the west addition to the Courthouse. My understanding is this would utilize space intended for future expansion when the west addition was initially built. Having a secure courtroom for appearances in criminal proceedings is a necessity. There is a current need for additional courtroom space.

The Court also supports and appreciates the Commission's consideration of a larger, future project. We hope these two projects are not mutually exclusive. The caseload within the judicial district served by the Cass County Courthouse continues to grow. We have no reason to believe that trend will not continue. While there is a present need for an additional secure courtroom, the long-term needs will require additional space beyond a single courtroom. We are optimistic you will be able to plan for both an immediate addition of a secure courtroom in the west addition of the Courthouse and still for future expansion.

Again, thank you and the other Commissioners for what has been provided and considering the future needs at the Courthouse. We appreciate our positive partnership. Please feel free to contact Sally Holewa, our State Court Administrator, or me, if you need any additional information.

Sincerely,

/s/ Jon J. Jensen

Jon J. Jensen
Chief Justice
North Dakota Supreme Court

JJJ/tak

cc: Tony Grindberg, Cass County Commissioner – District 2
Jim Kapitan, Cass County Commissioner – District 3
Duane Breitling, Cass County Commissioner – District 4
Mary Scherling, Cass County Commissioner – District 5
Sally Holewa, State Court Administrator (via email)
The Honorable Wade L. Webb (via email)
The Honorable John C. Irby (via email)

**Board of County
Commissioners**

Tony Grindberg
Chad Peterson
Mary Scherling
Jim Kapitan
Duane Breitling



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February 8, 2024

Honorable Jon J. Jensen, Chief Justice
North Dakota Supreme Court
600 E. Boulevard Avenue
Bismarck, ND 58505

RE: Cass County Courthouse Expansion

Chief Justice Jensen:

Thank you for your letter dated December 13, 2023, and the collaborative relationship Cass County has with the Judicial Branch. I appreciate this partnership and do not take it for granted.

As the Judiciary has experienced, consistent growth in Cass County requires added resources to meet increasing demands. I take my responsibility as a Cass County Commissioner very seriously to meet the needs of a growing, thriving community and provide a balanced approach to taxation. To that end, I am committed to meeting the County's needs in the most effective and cost-efficient manner.

That's why, in the most recent discussion of courtroom needs, you may have heard of multiple options being considered. Several Commissioners felt it was important to take some additional time to understand not only the immediate request but also to evaluate previous studies, hear from impacted stakeholders and better understand how this organization and our state partners currently utilize Cass County Government space.

On January 2, 2024, the County Commission voted unanimously to engage local architects to identify a suitable alternative location for the County's Information Technology department and develop building plans for constructing one additional secure courtroom in the West addition of the Courthouse. The Commission understands there is an immediate need for an additional secure courtroom.

Please be advised that any long-term needs identified by the court system will require more dialogue involving the North Dakota legislature that addresses current century code, (NDCC 27-01-1.1) and county responsibility to provide adequate court space. I view future courtroom capacity expansion as requiring additional collaboration and partnership with the State.

NDCC 27-01-01.1. Budgeting and financing of the supreme court and district courts. The state court administrator shall submit a comprehensive budget for the supreme court and the district courts to the legislative assembly. An informational copy of the budget must be delivered to the director of the budget pursuant to section 54-44.1-13. The budget for the district courts must include all salary and

*expenses for the district courts, including the juvenile courts, and their employees. Each county shall provide the district court in that county with **adequate** chamber, court, and law library quarters, and lights and fuel and appropriate facilities for clerk of court services that are state-funded pursuant to section 27-05.2-02. Any equipment, furnishings, and law libraries in the control and custody of the district court on January 1, 1980, and any such property acquired from that date until July 1, 1981, must continue to be in the district court's custody and control until the state court administrator determines such items are no longer needed by the court.*

I understand the 2023 legislative assembly approved significant technology investment for the courts. The legislature's expectation, as I understand is, was that the increase in technology funding the court system received would provide greater efficiencies and produce cost savings to the court system. Below you may find of interest a summary of facility costs Cass County taxpayers cover annually for North Dakota's Court System and Human Service operations. Using a conservative market rate (\$4.50 sq/ft) for facility operating costs, the Cass County Commission provides an annual benefit of approximately \$436,923.00 for 97,094 sq/ft.

North Dakota Court System:	55,514 sq/ft
North Dakota Human Service Department:	<u>41,580 sq/ft</u>
Total:	97,094 sq/ft

In addition to the information outlined above, I plan to convey in 2024 information and a legislative request for cost reimbursement and future long term capital needs during the 2025 legislative session. I look forward to your thoughts, ideas and participation to modernize financial responsibility by the State of ND for the court system. Attention and action in 2024 to develop a strategy for orderly, effective, and cost-efficient facility planning for Cass County Government is in North Dakota's best interest.

Finally, I believe continued communication, coordination and collaboration with the Judicial Branch is critical to continuing our strong partnership of serving Cass County and the East Central Judicial District.

Respectfully,



Tony Grindberg
Vice Chairman, Cass County Commission
District-2

Cc:
Cass County Commission
Governor Doug Burgum
Cass County North Dakota Legislative House & Senate Members
Aaron Birst, ND Association of Counties
Sheriff Jesse Jahner
Sally Holewa, State Court Administrator
The Honorable Wade L. Webb
The Honorable John C. Irby