

Transylvania County Agenda Memo

Agenda Item: X - A

Meeting Date: 9/14/15

From: Jaime Laughter, County Manager

Date: September 9, 2015

Subject: Courthouse options

Department: Administration

Public Hearing :(type Yes or No) No

Contact Information: Dan Mace, AIA, Vice President Moseley Architects
dmace@moseleyarchitects.com; Jaime Laughter 884-3194 or
jaime.laughter@transylvaniacounty.org

Attachment: September 2, 2014 Agenda Memo Workshop-Expansion of Courthouse;
Recent letter from US Marshal; Renderings and Budgets for Options; Dan Mace will present
a PowerPoint Presentation at the meeting

Purpose: To compare and contrast the most recent study completed by Moseley Architects
for placing a new courthouse facility at the Public Safety Facility/Morris Road site against
other alternatives.

Background: Transylvania County judicial space needs were first identified in a general
space needs assessment in 2005 with the top priority being to correct security and
overcrowding issues in the courthouse. The attached memo details the history of
discussions as documented in the agenda memo from September 2, 2014. At that time,
commissioners saw the results of the 2014 Moseley Study alternative to renovate the
existing courthouse and add an additional building on the old administration building site.
Staff were asked to engage Moseley in doing a space needs study at the Public Safety
Facility as an update to a prior study conducted in 2008 given changes in economy,
projections and construction costs. Moseley Architects presented the latest study results at
the August 24, 2015 Commissioner meeting.

There are currently three alternatives for consideration:

Option A: Do nothing

Pros: No expense

Cons: Inadequate parking – no separation of Judge, public and staff parking

No ability to securely transport and move prisoners into the facility

Aging infrastructure

Not enough courtrooms for increased caseloads

Inadequate public screening and queuing spaces

Mixed movement paths for Judges, public and prisoners – safety and liability concerns

Varied security and accessibility issues

Inadequate prisoner holding areas

No jury pool space

Inadequate court jury deliberation space

Inadequate courtroom size other than superior courtroom

Inadequate conference and attorney breakout space

Option B: Renovate and add a building to the existing site

Pros: Cost is least of construction alternatives (\$11.7 Million plus \$4 million to acquire land and construct a parking deck)

Keeps existing historic court location

Less expensive than other 2 options

Reason to keep historic building open

Provides for public toilets for after hour use

Cons: Provides only a 15 year need

Does not improve existing parking issues – actually reduces the existing number on site

A large expansion will negatively affect historic courthouse appearance

During renovation, unknown latent issues may be discovered needing repair

Does not have ideal layout given use of existing courthouse with judges and inmates crossing paths

Front door" is hidden to the rear

Option C: Morris Road new construction per 2015 study update

Pros: Purpose-designed for 21st century courts

Close proximity to detention facility / Sheriff

Adequate proper and separate parking areas

Expansion capability for future growth

Less expensive than 2008 needs study

Better security and public accessibility

Will repair current site drainage issues

Cons: Moves current court location from downtown

Costs more than the 2013 study addition

Schematic Drawings and Budgets for Option A and B are attached.

Financial Impact: None at this time.

Recommendation(s): Hear presentation and discuss. Suggest next steps.

Transylvania County Agenda Memo

Agenda Item:

Meeting Date: 9/08/2014

From: Artie Wilson, Transylvania County Manager

Date: September 2, 2014

Subject: Workshop-Expansion of Courthouse

Department: Administration

Public Hearing: Yes No

Contact Information: Artie Wilson 828-884-3194

Attachment: Review of Proposed Space Allocations 2007; Rural Court Commissioner Report 2007; June 9, 2008 Executive Summaries of Committee A (Impact of moving Courthouse out of Downtown) and Committee B (Alternative location of Courthouse and costs); September 21, 2010 Long and Medium Term Options to Meet Court Needs; Recent study by Moseley Architects on expansion of Courthouse at existing location. Due to all the information being presented we will provide each commissioner with a book which will include this information. We are working on a PowerPoint presentation that will be available shortly.

Purpose: To understand the process the Board of Commissioners have gone through to address the needs of the judicial system in the County.

Background: A space needs assessment was completed in May 2005. The number one priority listed in the space needs study was the security issues and the overcrowded situation in the Courthouse. Planning for a new detention center was already underway and was not part of the assessment. In February, 2007 staff presented a plan to the Board of Commissioners on how to meet the needs without building a new courthouse. This plan involved moving the Register of Deeds and Tax Administrator out of the Courthouse and into the Old Sheriff's Building as soon as the Sheriff moved into the new Public Safety facility, moving Administration to the old library so the courthouse could be expanded, and moving the Board of Elections and potentially other agencies into the vacated detention facility. That same year, the Rural Courts Commission completed an inspection of the courthouse and made recommendations on security. Immediate action was taken which resulted in the single portal of entry and security at the entry point.

In 2008, the Board of Commissioner formed two study committees: Committee A to look at whether there would be an economic impact to the downtown if the Courthouse was moved out of the downtown area and Committee B to look at what would be the costs of expanding facilities at the

current location or at the new Public Safety Facility. The results of Committee A were mixed with some saying there would be no economic impact if the Courthouse was moved out of downtown while others expressed a concern about not letting the courthouse become vacant. Committee B looked at the pros and cons of both locations, but came away with the recommendation that the best cost alternative was at the Public Safety Facility at an estimated cost of \$30.0 million.

In September 2009 the Board of Commissioners asked staff to revisit the Courthouse space needs in light of the economic situation specifically looking to get a cost estimate of a new facility located near the Public Safety Facility. This potential move out of downtown raised concerns from the Heart of Brevard who asked the Commissioners to consider splitting Civil and Criminal Courts but keeping them in the downtown area. The pros and cons were looked at with both the Sheriff and Judicial system indicating that this would be inefficient and would mean increased staffing.

In September 2010 staff presented an update to the Board of Commissioner regarding Long and Medium Term Options to meet the Court needs. Staff had received two estimates from construction companies on the cost of a new courthouse located on Morris Road at an average cost of \$21.1 million. Staff presented two medium term options: the first included movement of the Register of Deeds and Tax Administration and Administration to other locations and the expansion of the Administration Building for court functions and the second relocating the Register of Deeds and Tax Administration to the Old Sheriff Department and minor renovations to the Courthouse. The long term option was to construct a new courthouse.

At the September 27, 2010 Commissioners meeting the Board of Commissioners authorized staff to go out for bid for renovation of the old Sheriff's office for moving the Register of Deeds and Tax Administration to that location. Unfortunately the bids came in high and the bids were rejected. After several cost cutting iterations, the project was rebid in 2011 and approved in December 2011. The Register of Deeds and Tax Administration moved into the old Sheriff's office in late Spring of 2012.

In November 2012 the Board of Commissioners approved the renovation of the Courthouse which would give additional space to the District Attorney, Clerk of Court and move the Public Defender into the Courthouse. The project was completed in the Spring of 2013.

In November 2013 the County engaged the services of Moseley Architects to do an expansion study of the courthouse.

In January, 2014 the Board of Commissioners approved moving forward with renovating the old library and moving administration to that location. We expect to complete the move in late September or early October of this year.

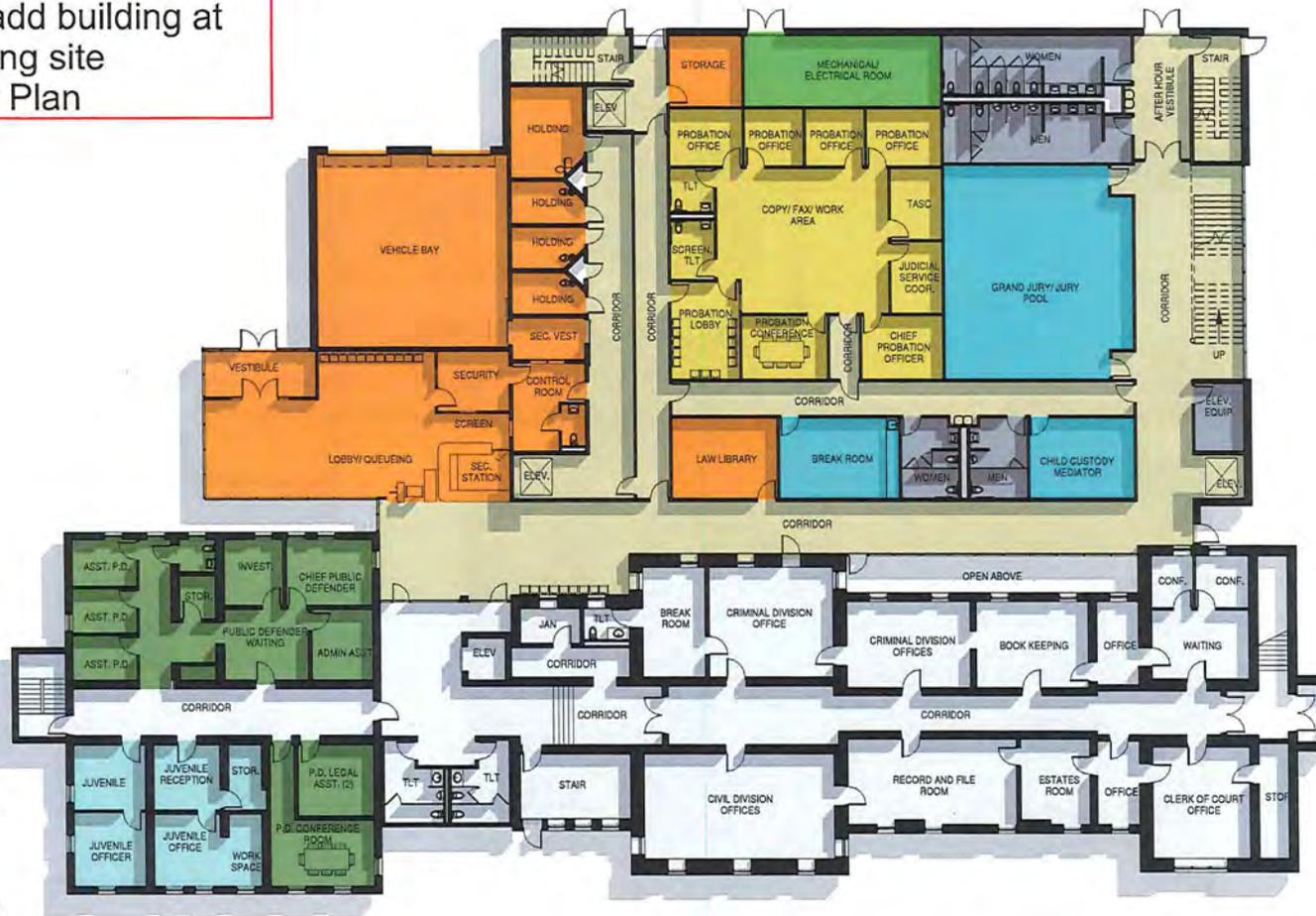
In July 2014 Dan Mace of Moseley Architects presented the findings of the Courthouse expansion study to the Board of Commissioners. The proposed project includes the demolition of the Administration Building and construction of a two-story building that will give two extra courtrooms, space for Probation and Parole that is currently located off-site and provide the needed security for inmates being transported to the Courthouse. The estimated turnkey cost of the project is \$11.2 million.

At the next Commissioner meeting we would like to have another work session and review the need for the courthouse expansion.

Financial Impact: NA at this time

Recommendation(s): Discuss

Option B: Renovate and add building at existing site
Floor Plan



- DEPARTMENT LEGEND
- ADULT CORRECTIONS
 - CIRCULATION
 - EXISTING
 - JUVENILE
 - MEP
 - PUBLIC DEFENDER
 - SHERIFF - COURT SERVICES
 - SUPERIOR & DISTRICT COURTS
 - SUPPORT SPACE



FIRST FLOOR PLAN

1" = 20'-0"

MOSELEYARCHITECTS

Option B: Renovate and add building at existing site
Floor Plan

- DEPARTMENT LEGEND
- CIRCULATION
 - DISTRICT ATTORNEY
 - EXISTING
 - MEP
 - SHERIFF - COURT SERVICES
 - SUPERIOR & DISTRICT COURTS
 - SUPPORT SPACE



SECOND FLOOR PLAN
1" = 20'-0"

Option B: Renovate and add building at existing site
Site Plan



SITE PLAN
1" = 40'-0"

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Option B: Renovate and add
building to existing site

Schematics



Option B: Renovate and add
building to existing site

Schematics



Option B: Renovate and add
building to existing site

Schematics



Option B: Renovate and add building to existing site

Budget

OPINION OF PROBABLE TOTAL PROJECT COST



Client: Transylvania County, NC Date: May 20, 2014
 Project Name: Transylvania Courthouse Expansion Study Computed By: DRM
 Description: Approximately 34,000 SF Expansion and Checked By: DRM
 Project #531768 Renovations to the existing Courthouse Sheet Number: 1 of 1

Item No.	Description	Area	Unit	Unit Cost	Total Cost
Construction Costs					
1	New Construction - "Conditioned walkable square feet"	34,000	SF	\$200.00	\$6,800,000.00
2	Existing Misc. Courthouse Renovations	1,600	SF	\$150.00	\$240,000.00
3	Demolition and Site Development	N/A	N/A	lump sum est.	\$1,000,000.00
4	Construction / Design Contingency	N/A	N/A	10.00%	\$804,000.00
5	Cost Escalation Contingency - 12 months			5.00%	\$442,200.00
(note - add this % for each additional year to actual bid date)					
	Subtotal				\$9,286,200.00
	Estimated Construction Cost	35,600	SF	\$260.85	\$9,286,200.00
Project Costs					
1	Fixtures, Furnishings & Equipment (FF&E of finished space)	N/A	N/A	\$25/SF	\$890,000.00
2	Site and Construction Testing	N/A	N/A	0.50%	\$46,431.00
3	Misc. Fees / Costs	N/A	N/A	10.00%	\$928,620.00
4	Site Acquisition				\$0.00
	Subtotal				\$1,865,051.00
	TOTAL ESTIMATED PROJECT BUDGET				\$11,151,251.00
Note: Additional parking areas not included.					

Option C: New Construction
at Morris Rd.
Schematics



Option C: New Construction
at Morris Rd.
Schematics

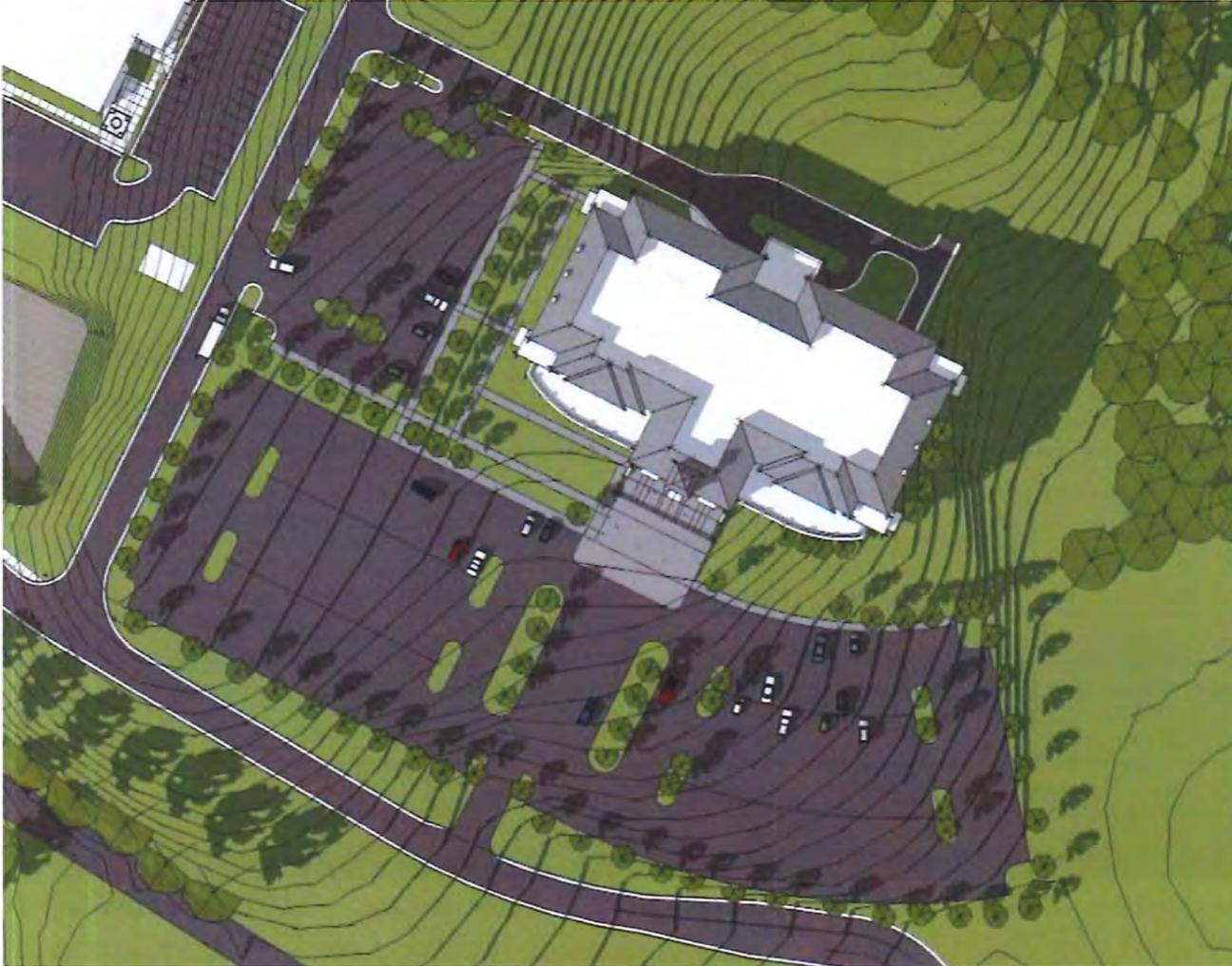


Option C: New Construction
at Morris Rd.
Schematics



Option C: New Construction
at Morris Rd.

Schematics



Option C: New Construction at Morris Rd.

Budget

OPINION OF PROBABLE TOTAL PROJECT COST



Client:	Transylvania County, NC	Date:	February 19, 2015
Project Name:	Transylvania Replacement Courthouse Study	Computed By:	DRM
Description:	Approximately 61,700 SF (per diagram)	Checked By:	DRM
Project#531768	New Courthouse at PSF Campus	Sheet Number:	1 of 1

Item No.	Description	Area	Unit	Unit Cost	Total Cost
Construction Costs					
1	New Construction - 2 story new Courthouse Facility	61,700	SF	\$210.00	\$12,957,000.00
2	Demolition, Parking and Site Development	N/A	N/A	lump sum est.	\$3,000,000.00
3	Construction / Design Contingency	N/A	N/A	5.00%	\$797,850.00
4	Cost Escalation Contingency - 12 months (note - add this % for each additional year to actual bid date)			5.00%	\$837,742.50
	Subtotal				\$17,592,592.50
	Estimated Construction Cost	61,700	SF	\$285.13	\$17,592,592.50
Project Costs					
1	Fixtures, Furnishings & Equipment (FF&E of finished space)	N/A	N/A	\$25/SF	\$1,542,500.00
2	Site and Construction Testing	N/A	N/A	0.50%	\$87,962.96
3	Misc. Fees / Costs	N/A	N/A	10.00%	\$1,759,259.25
4	Site Acquisition				\$0.00
	Subtotal				\$3,389,722.21
	TOTAL ESTIMATED PROJECT BUDGET				\$20,982,314.71
Note: New additional parking areas are included. New revised location and enlarged storm basin included.					



U.S. Department of Justice
United States Marshals Service
Western District of North Carolina

Asheville, NC 28801

Transylvania County Sheriff's Office
153 Public Safety Way
Brevard, North Carolina 28712

Date: August 12, 2015

Attn: Captain Eddie Lance

On July 24, 2015, I met with members of the Transylvania County Sheriff's Office (TCSO) to discuss security concerns at the Transylvania County Courthouse. I was briefed on current security measures in place and took a tour of the Courthouse and adjacent Administrative Building.

It was evident from the meeting that the Sheriff's Office is committed to the protection of the judicial process and it is a high priority. The Sheriff's Office plays a critical role in the judicial process. The Sheriff must ensure that judicial proceedings are conducted in a safe and secure manner. The Sheriff is responsible for the protection of judicial officials including jurors; custody and transport of prisoners; bailiff duties; staffing the security check point; and general security in and around the Courthouse facility. This mission is accomplished by anticipating and deterring threats to the judicial process and by the development and employment of innovative protective measures.

The most glaring deficiency I observed was the absence of a base of operations or a place to call home for the Sheriff's Office within the Courthouse. In the federal courts the US Marshals are considered to be part of the court family and therefore have adequate space in which to operate and fulfill their mission. The TCSO has zero space within the Courthouse and must rely on the use of the jury room, law library, public hallways, etc. in order to accomplish their vital role in the judicial process.

My recommendation to solve this issue would be to relocate the law library to the lower level multi-purpose room that is presently empty. The law library, with its close proximity to the courtroom, could be converted into a base of operations for the Sheriff's Office. This room already has a bathroom and could contain multiple holding cells and a small space for attorneys to meet with their clients. Additionally, an outside stairwell could be installed to gain access to this area from the parking lot. Obviously this would require converting a window to a door in order to gain outside access. A secure parking area could be created in the loading/unloading area and prisoners could be transported in and out of the courthouse in a much more secure manner.

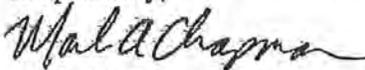
I would further recommend securing the entire floor where the law library (Sheriff's space), jury room, and judicial chambers are located. This could easily be accomplished by building a wall with a secure door in front of the current Sheriff's Desk in the middle of the open hallway. By securing this area it would allow the Sheriff to conduct a majority of their operations outside public view.

Another recommendation is to investigate the possibility of conducting court appearances for in-custody prisoners via video conferencing. All video court proceedings could be conducted in a manner that protects the due process rights of each defendant. Video court proceedings would enhance the safety of courtroom personnel, the general public, and Sheriff's Office employees. This greatly reduces the potential for escape and disruptive behavior from the defendant. Transportation costs would be reduced as well as conserving Sheriff's Office manpower and resources.

Maintaining the integrity and security of the judicial process is a core mission of the Sheriff's Office, however, everyone involved in the judicial process shares responsibility for this mission. Perhaps a court security committee of department heads could be established to discuss security related issues and practical solutions.

In closing, it was a pleasure to meet with you to discuss security measures at the courthouse and I hope our meeting and this letter will spur some new ideas to enhance security.

Respectfully,



Mark A. Chapman
Supervisory Deputy US Marshal
W/NC - Asheville