

Presentation to the  
**Ivor Town Council**

August 14, 2017



# Courthouse Evolution



# Courthouse Evolution

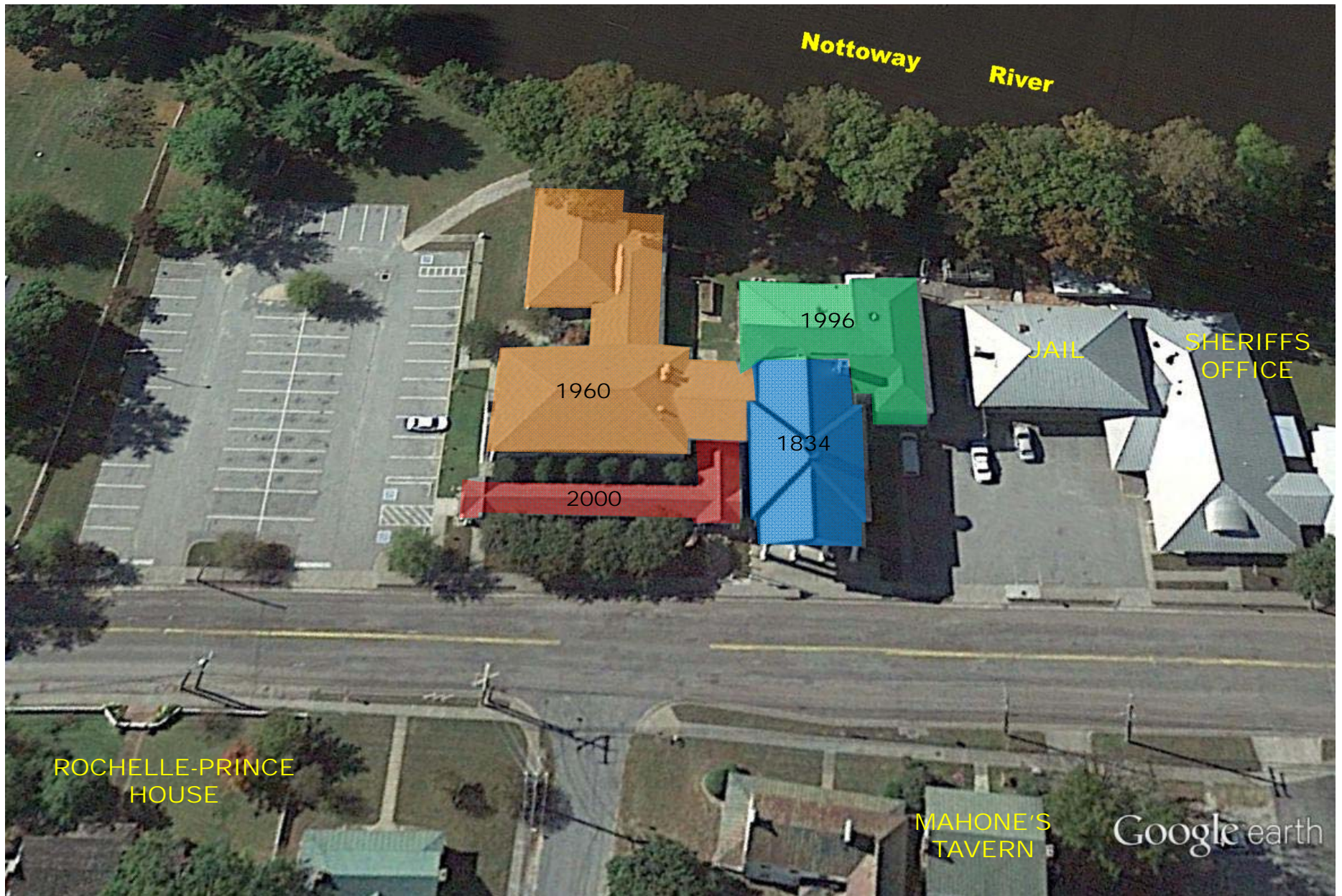


# Courthouse Evolution



# Courthouse Evolution





Nottoway River

1996

1960

1834

2000

JAIL

SHERIFFS OFFICE

ROCHELLE-PRINCE HOUSE

MAHONE'S TAVERN

Google earth

# Shared Courthouse

- December 1961 – Town of Franklin transitions to an independent city
- Cities w/ less than 10,000 population did not have a court of record (Circuit Court) and were required to share the cost of that court with their adjacent county
- Since 1961, we've shared the cost of operating and maintaining the Courthouse, and the cost of operations for 3 constitutional officers (Sheriff, C.A. and Clerk) on a proportional population basis – the City's share currently equates to ~30%

By statute in Virginia, counties are required to provide courthouses that are **in repair**, **secure and safe**, and **have suitable space and facilities**.



# Court May Issue an Order to Compel Improvements

The Code of Virginia sets out a process that can be used to compel improvements to a court facility by local Circuit Courts (§ 15.2-1643). Dating at least to the early 1900s, this process has been used by Circuit Court judges to force jurisdictions to update and upgrade their court facilities. Over the past 15 years this process has been used in a number of communities, including Williamsburg/James City County, Rockbridge County, Dickenson County, and the City of Portsmouth.



## VIRGINIA COURTHOUSE FACILITY GUIDELINES

The 2015 edition was made possible with the support of Grant No.  
SJI-13-T-204 from the State Justice Institute (SJI).



Prepared by: Don Hardenbergh  
Court works  
Williamsburg, Virginia

For

Office of the Executive Secretary  
Supreme Court of Virginia  
Richmond, Virginia

“ . . . designed to assist judges and court officials by providing them with the necessary information they need to assess their facilities and address remedies with their local governing bodies.”

**Evaluation of Courthouse Needs for Southampton County**  
Southampton County, Virginia



In response to concerns expressed by the Southampton Circuit Court on November 3, 2015, the Board of Supervisors commissioned a Courthouse Needs Assessment which was completed in February 2016

# Security Shortcomings

- Grossly undersized security screening area
- No CCTV with cameras to monitor pedestrian movements inside and outside the building
- No intrusion detection system to monitor exterior doors or 1<sup>st</sup> floor windows
- No interior or exterior access control system
- No public address system
- No emergency generator to provide for orderly shut-down in the event of power loss

# Most Problematic Security Shortcomings

- No secure parking for Judges or staff
- No secure interior circulation system for Judges or staff – Judges and staff utilize the same lobbies, corridors, stairwells, and elevators as the general public

“Judges should never be provided unsecured parking in the public parking area and judges’ parking spaces should never be identified.”

*Virginia Courthouse Facility Guidelines*  
*p. 6-3*

“A key element in courthouse security is the separation of the public, judiciary and staff, and in-custody defendants.”

*Virginia Courthouse Facility Guidelines*  
*p. 8-2*

“For security reasons, private circulation must include judicial access from secure judicial parking facilities to private elevators and offices.”

*Virginia Courthouse Facility Guidelines*  
*p. 4-5*



# State of Repair

- Existing facility does not meet modern life safety code requirements
  - No fire protection system
  - Egress stairs and corridors in the 1960's addition do not meet codes for emergency evacuation

# State of Repair

- Existing facility's critical infrastructure is aging
  - HVAC equipment is 20+ years old, near the end of its useful life and susceptible to breakdowns
  - HVAC controls struggle to constantly maintain a comfortable interior climate
  - HVAC piping (2-pipe system) requires a manual conversion from heating to cooling that takes ~24 hours
  - Electrical system and boiler located in the basement and prone to periodic flooding

# State of Repair

Table 2 – Direct Identification Analysis sample data.

Table II Direct Mold Analysis – November 16, 2015 Dominion Generation Outage Control Center				
Sample Number	Sample Type	Sample Location	Analytical Results	
SHCC-DL1	Direct	GDC Courtroom HVAC Supply Register	<i>Cladosporium</i> <i>Epicoccum</i>	Moderate Rare
SHCC-DL2	Direct	GDC, Private Hearing Room, CT Surface	<b><i>Stachybotrys</i></b>	<b>Very Heavy</b>
SHCC-DL3	Direct	GDC, Records Room, N Wall Surface	<i>Aspergillus</i>	Very Heavy
SHCC-DL4	Direct	GDC, Judges Office Baseboard, @ W Window	<i>Cladosporium</i>	Very Heavy
SHCC-DL5	Direct	GDC, Judges Law Books	<i>Aspergillus</i>	Very Heavy
SHCC-DL6	Direct	GDC, Court Door to Judges Bench	<i>Aspergillus</i> <i>Biopolaris/Drechslera</i> <i>Cladosporium</i>	Very Heavy Rare Heavy
SHCC-DL7	Direct	CC, Court Door to Judges Bench	<i>Aspergillus</i>	Very Heavy

Key: (Sample Number) SHCC= Southampton County Court House, DL= Direct Lift,  
(Sample Location) GDC= General District Court, CT= Ceiling Tile, CC = Circuit Court

Levels of mold detected on the direct tape lift samples collected from the surveyed sample locations indicated the presence of moderate to very heavy levels of fungal spores/structures on the materials sampled. The levels of fungal spores detected do appear to be significant and are generally not typical for the environment sampled.

# State of Repair



Cardno ATC  
211 Expressway Ct  
Virginia Beach, VA 23462  
Ph.: (757) 467-2100 Fax.: (757) 467-9178 #7

Organism Descriptions

HMC #15026655

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## Aspergillus

**Habitat:** One of the most common fungi isolated from the environment. Found in soil, decomposing plant material, and indoors on a wide variety of cellulose containing materials.

**Health Effects:** Known to be allergenic and many species also produce mycotoxins and carcinogens. They are a common cause of extrinsic asthma and hypersensitivity pneumonitis. Many species are opportunistic pathogens and are known to cause sinus lesions, ear infections, respiratory infections, and invasive systemic disease.

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## Bipolaris|Drechslera

**Habitat:** They are found in soil and as plant pathogens. Can grow indoors on a variety of substrates.

**Health Effects:** They may be allergenic and are very commonly involved in allergic fungal sinusitis. They are opportunistic pathogens but occasionally infect healthy individuals, causing keratitis, sinusitis and osteomyelitis.

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## Cladosporium

**Habitat:** One of the most common genera worldwide. Found in soil and plant debris and on the leaf surfaces of living plants. The outdoor numbers are lower in the winter and often relatively high in the summer, especially in high humidity. The outdoor numbers often spike in the late afternoon and evening. Indoors, it can be found growing on textiles, wood, sheetrock, moist window sills and in HVAC supply ducts.

**Health Effects:** A common allergen, producing more than 10 allergenic antigens and a common cause of hypersensitivity pneumonitis.

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## Epicoccum

**Habitat:** It is found in soil and plant litter and is a plant pathogen. It can grow indoors on a variety of substrates, including paper and textiles and is commonly found on wet drywall.

**Health Effects:** It is a common allergen. No cases of infection have been reported in humans.

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## Stachybotrys

**Habitat:** Commonly found in soil and on decaying plant material. It is cellulolytic, and can be found indoors on wet materials containing cellulose, such as wallboard, ceiling tile, and other paper-based materials. It is found outdoors on decaying plant material although it is rarely detected on outdoor air samples.

**Health Effects:** Allergenic properties are poorly studied and no cases of infection have been reported in humans. They do however produce potent tricothecene mycotoxins. The toxins produced by this fungus can suppress the immune system affecting the lymphoid tissue and the bone marrow. The mycotoxin is also reported to be a liver and kidney carcinogen.

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# Basement



Photo 19: View of basemen boiler, water on floor.

# Chilled Water Piping Above Ceiling – Front Lobby



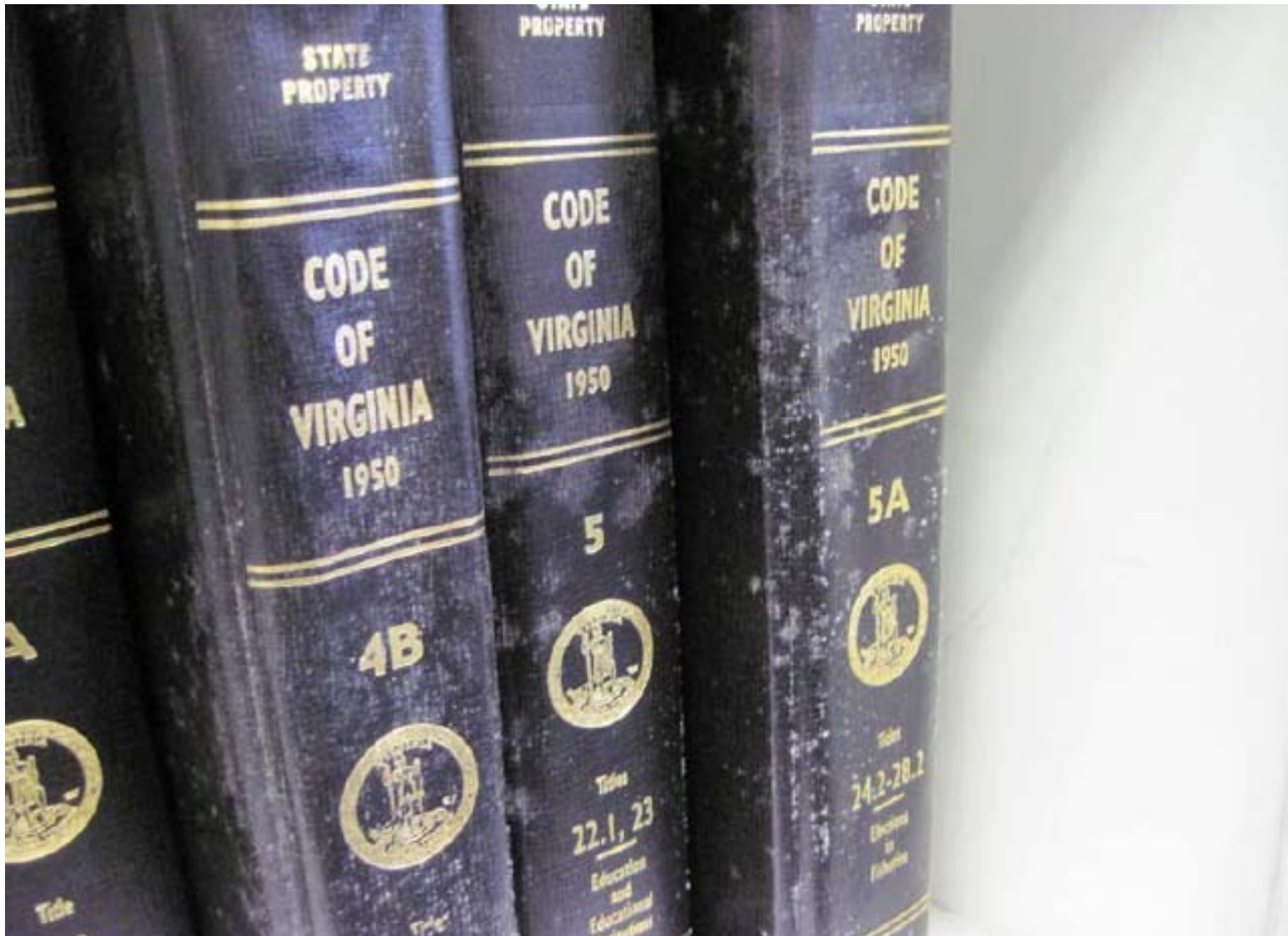
Photo 24: View of microbial growth on chiller lines.

# General District Clerk's Office



Photo 13: View Records Room N wall at Judges Office.

# Judge's Law Books





# Judge's Office



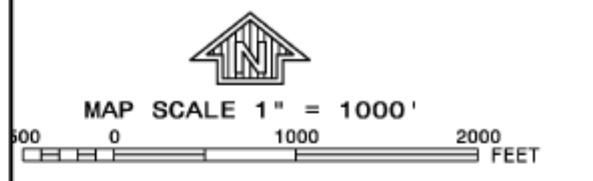
Photo 17: View of mold growth on wood wall base board, W wall under window.

# Ductwork

## J&DR Conference Room



Photo 7: View of PH HVAC supply duct.



**NFIP**

**PANEL 0280 C**


**FIRM  
FLOOD INSURANCE RATE MAP  
SOUTHAMPTON COUNTY,  
VIRGINIA  
AND INCORPORATED AREAS**

**PANEL 280 OF 420**  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
COURTLAND TOWN OF	51752	0280	C
SOUTHAMPTON COUNTY	51275	0280	C

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



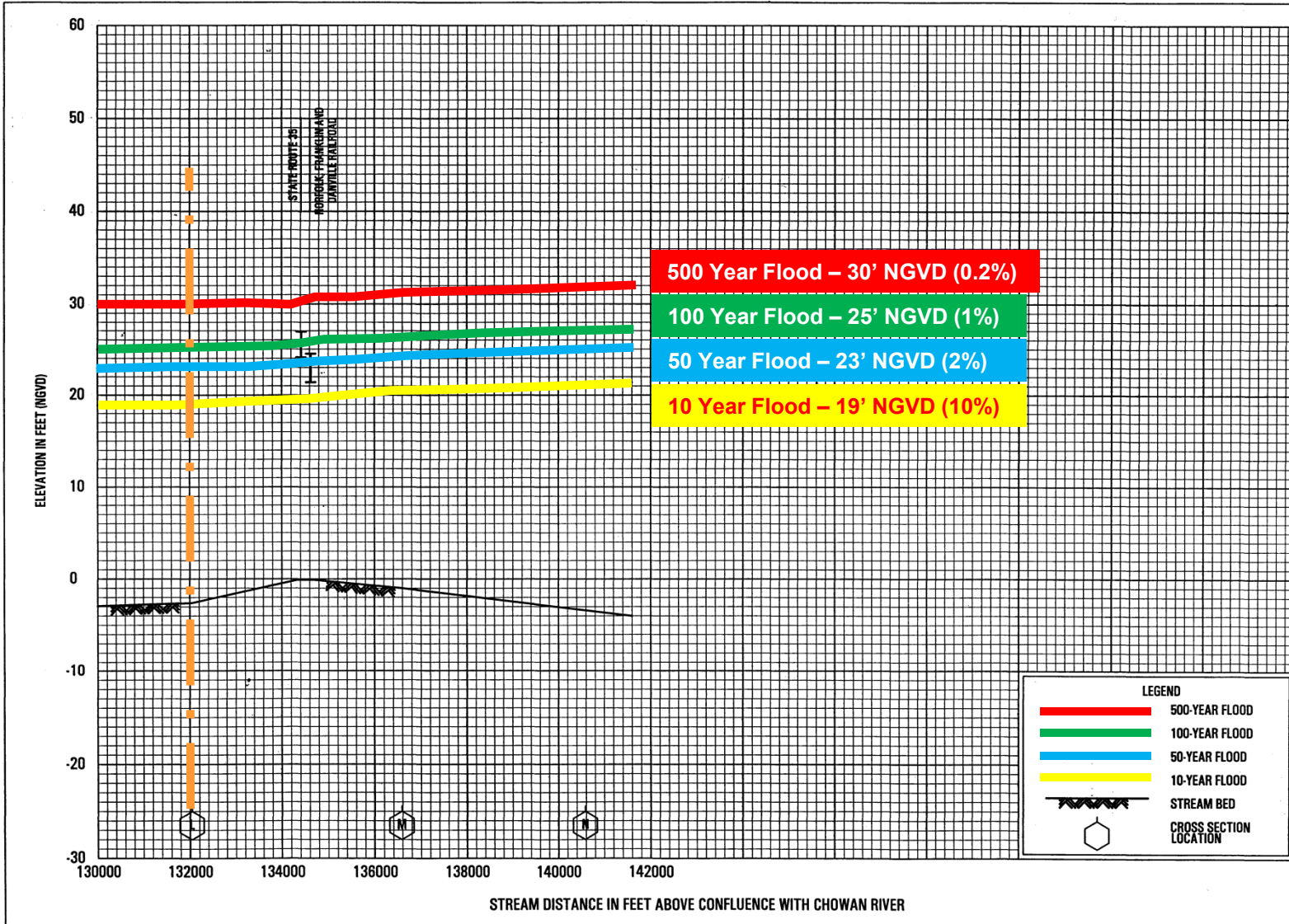
**MAP NUMBER  
51175C0280 C**

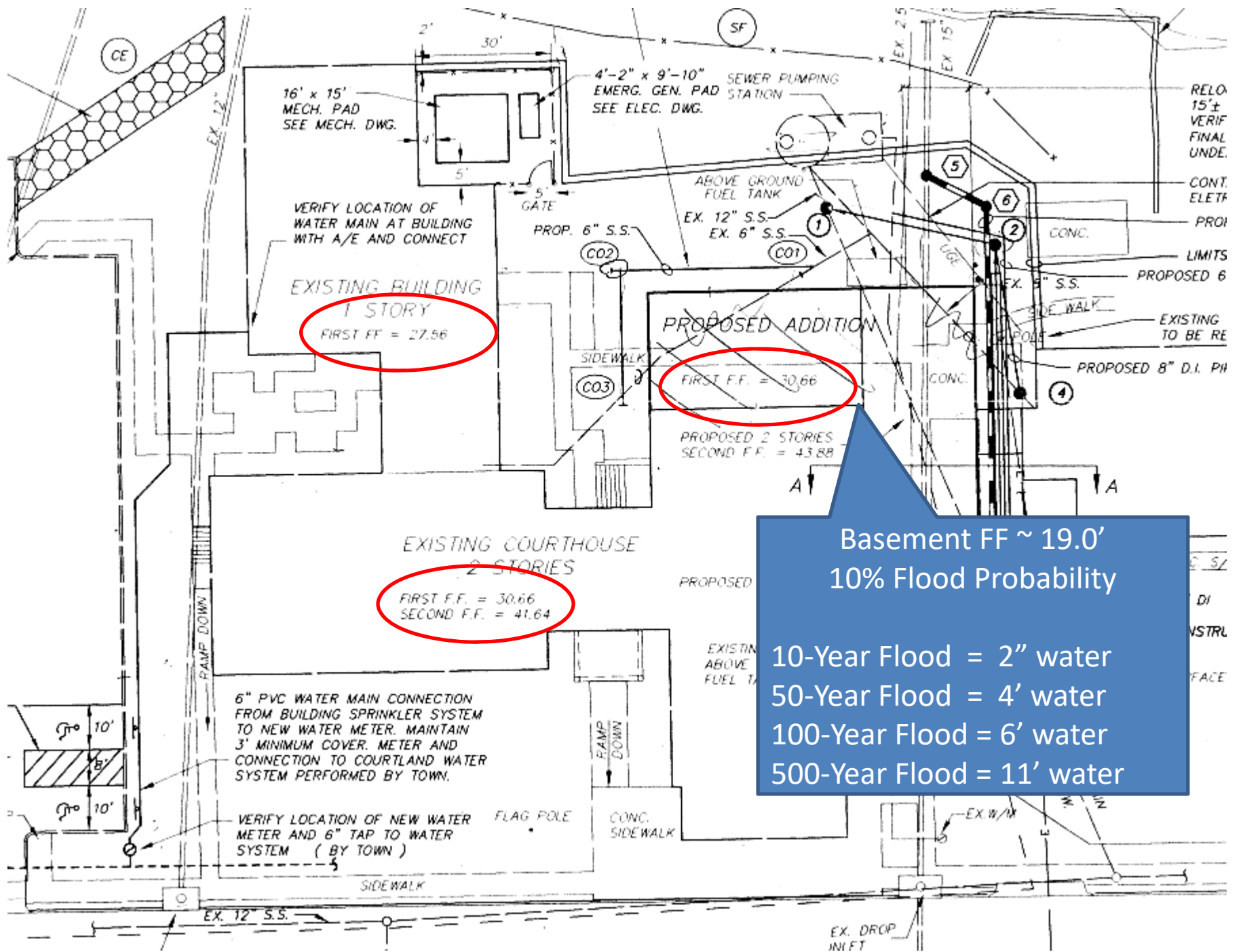
**EFFECTIVE DATE  
SEPTEMBER 4, 2002**

Federal Emergency Management Agency

**NATIONAL FLOOD INSURANCE PROGRAM**

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)





Basement FF ~ 19.0'  
 10% Flood Probability

10-Year Flood = 2" water  
 50-Year Flood = 4' water  
 100-Year Flood = 6' water  
 500-Year Flood = 11' water

# Suitable Space & Facilities

- Based upon current caseloads, space needs are expected to double over the next 20 years
  - Current facility = ~23,000 s.f., not including the basement
  - Future space needs = ~44,000 s.f.

# In Summary

- **Architectural report concluded:**
  - In its current state, the Courthouse does not meet published security and safety guidelines
  - In its current state, the Courthouse is not in good repair
  - In its current state, the Courthouse will not meet the future space needs of the Court



by PHOTOS8.org



# Courthouse Planning Committee Members

Hon. Carl E. Eason Jr.	Chief Judge, Southampton Circuit Court
Hon. W. Parker Councill	Presiding Judge, Southampton General District Court
Hon. Robert S. Brewbaker Jr.	Chief Judge, Southampton J & DR Court
Hon. Alan W. Edwards	Southampton County Board of Supervisors
Hon. Frank M. Rabil	Mayor, City of Franklin
Hon. John B. Stutts	Sheriff
Hon. Eric A. Cooke	Commonwealth Attorney
Hon. Richard L. Francis	Clerk of Circuit Court
Hon. Danny W. Williams	Mayor, Town of Courtland, Citizen Representative
Mrs. Mariah Belcher	Clerk, Franklin City General and J & DR Combined Courts
Mrs. Belinda J. Jones	Clerk, Southampton General and J & DR Combined Courts
Mr. Wayne M. Cosby	Retired Clerk of Circuit Court, Citizen Representative
Mr. Damian P. Dwyer	Franklin/Southampton County Bar Association
Mr. R. Randy Martin	Franklin City Manager
Mr. Michael W. Johnson	Southampton County Administrator

# Referendum Required for New Facility

If a county plans to construct a courthouse at a new location which is not adjacent to the existing courthouse, Va. Code §§ 15.2-1644 and 15.2-1646 **requires citizen approval through a referendum.**

In cases where a courthouse is shared with a city, votes of city voters are treated equally.

# Ballot Question

**§ 15.2-1652. Form of ballots for county election on removal and appropriation; certificate of electoral board.**

**The ballots used in the election required by § 15.2-1644 shall be as follows:**

**"Shall the courthouse be removed to . . . . ., and shall the Board of Supervisors be permitted to spend \$. . . . . therefor?"**

**[ ] Yes**

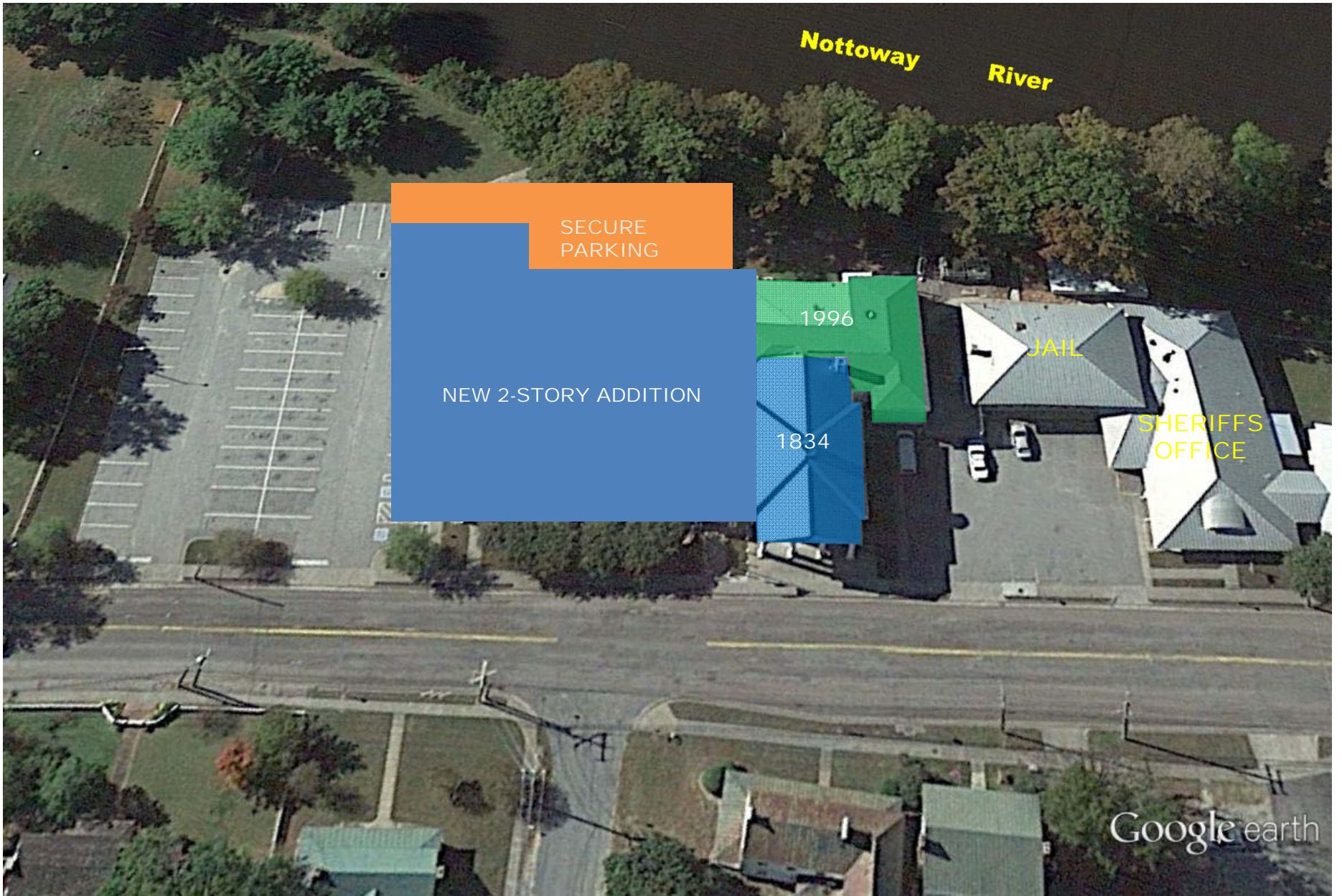
**[ ] No"**

# A/E Assistance

- June 2016 – Request for Proposals
- 6 proposals received/4 firms interviewed
- Moseley Architects selected
  - Top 20 public sector design firm in the country
  - Extensive experience with Courts facilities in VA
- Pre-referendum Services
  - Confirm future space needs
  - Assistance with site(s) analysis
  - Conceptual plans & cost estimates
  - Assist with public education/outreach

# Renovate & Expand

- Based upon physical condition, code issues, construction type and/or configuration:
  - Mechanical/Electrical systems must be upgraded
  - Clerk's Office and Records room must be demolished to allow room for secure parking
  - 1960's Administrative wing should be demolished due to height issues and configuration
  - Existing Courtrooms need to be renovated and remodeled to achieve proper circulation
  - Parking lot will be reduced in size to facilitate building expansion
  - The colonnade would be removed
  - Additional property will be developed for offsite parking – patrons will have to walk 500' to 1,200' from parking lots to the front door



Nottoway River

SECURE PARKING

NEW 2-STORY ADDITION

1996

1834

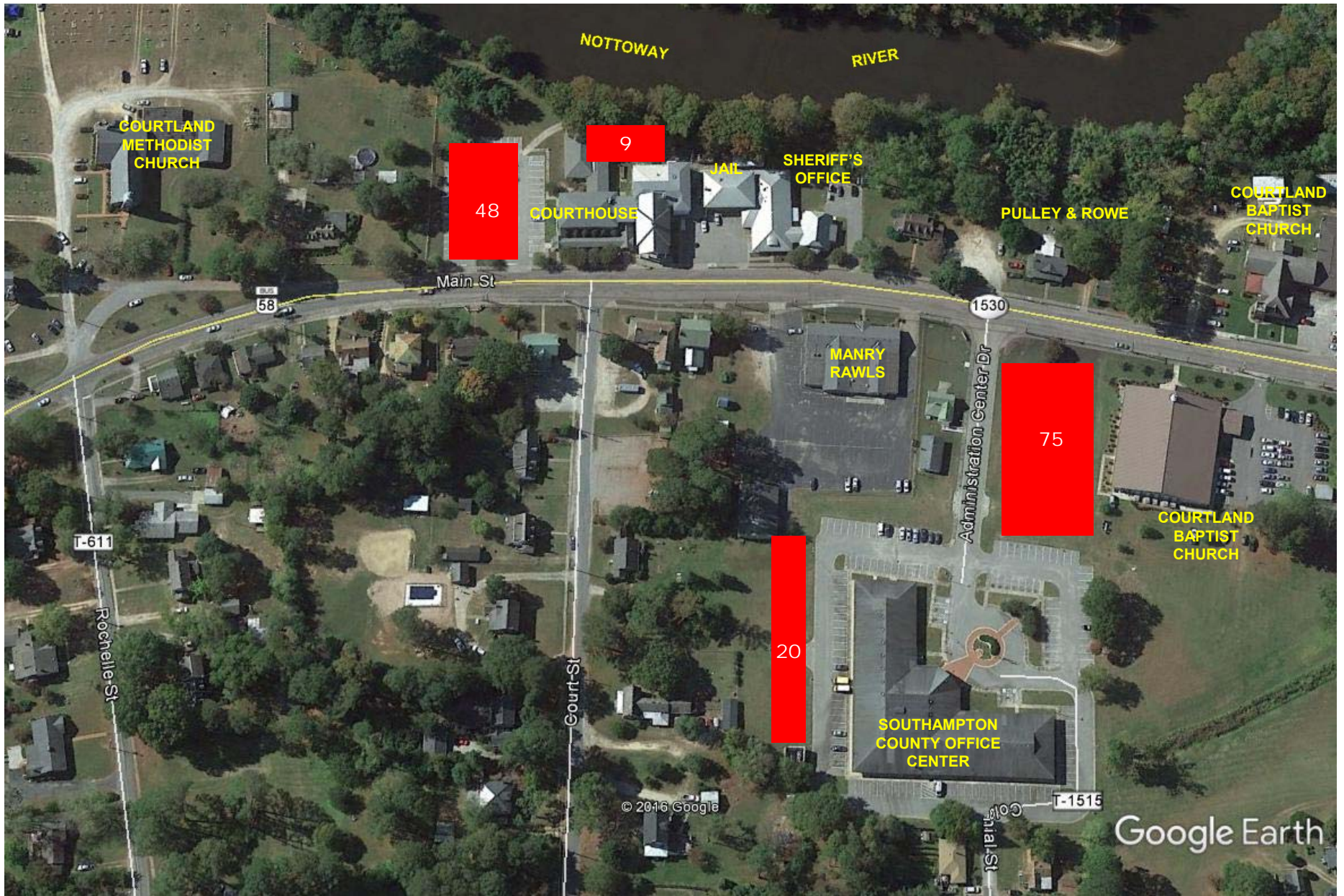
JAIL

SHERIFFS OFFICE

Google earth

# Renovate & Expand

- Requires temporary office accommodations for Commonwealth's Attorney and Clerk's Office(s)
- Cost and logistics burdens in transporting witnesses, jurors and in-custody defendants
- Requires development of substantial satellite parking
- Must remove or work around asbestos-containing building materials (ACBM's)
- Greater unknowns with renovations require greater contingencies





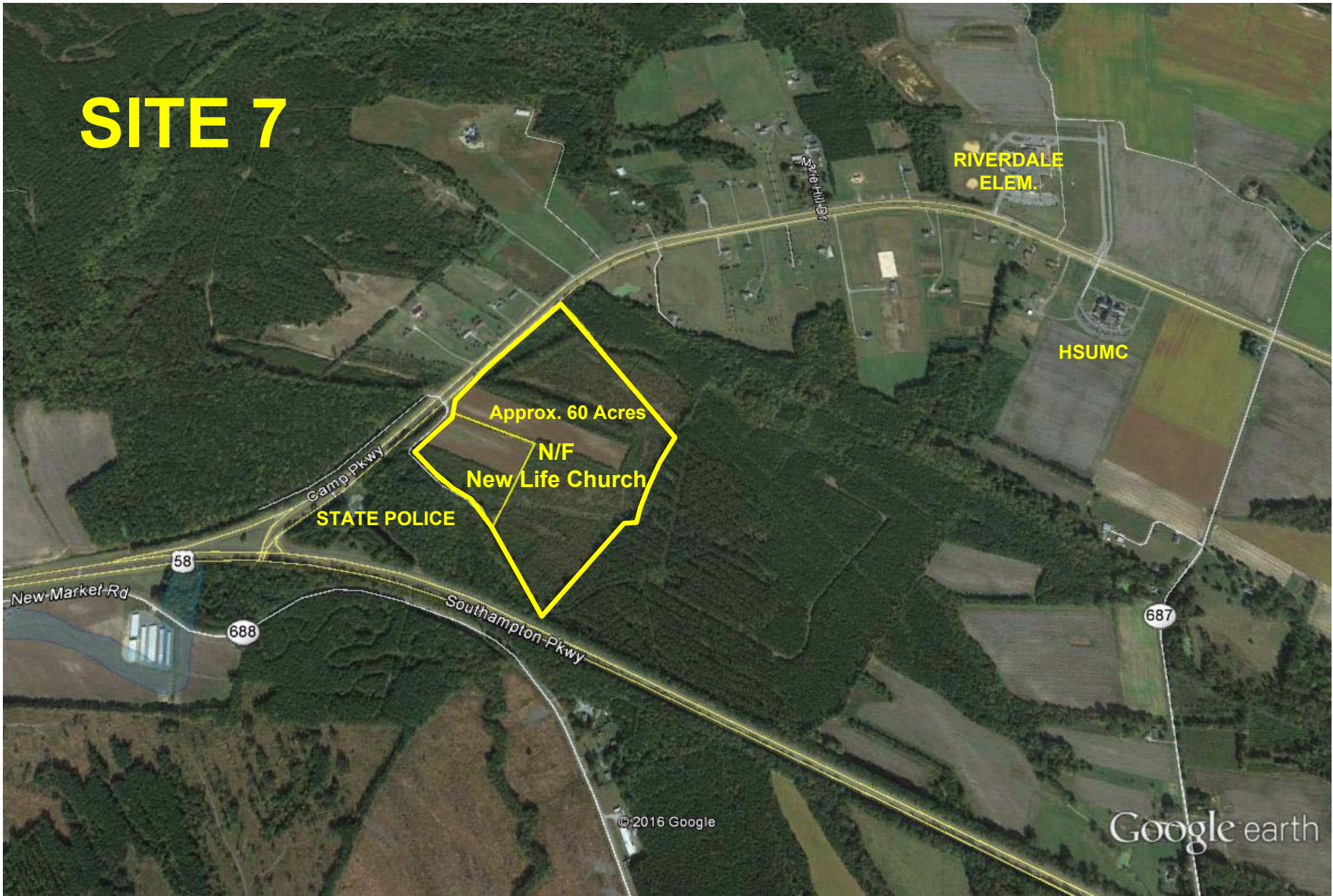
# New Facility

- Will require acquisition of a new site
- Courthouse Planning Committee began evaluating nine potential sites
- Final site selected by BOS on July 24 and placed under option
- Naturally more efficient
  - Not constrained by the existing site and building configuration
  - Adequate parking can be planned and accommodated on-site
  - Prisoner holding area can be incorporated between the Courtrooms
- Transportation costs for in-custody defendants will increase





# SITE 7



# SITE 7



DECEMBER 2, 2016

## SOUTHAMPTTON COURTS

PLAN RENDERING - SITE 7



# What “Yes” Means

- Execute option on new site
- Build new Courthouse
- Total project not to exceed \$26.5 million

# What “Yes” Means

## Cost estimates for the project include:

Site acquisition .....	\$145,000
Offsite infrastructure (water, sewer, roadwork, natural gas) ... ..	\$2,557,000
Site work (onsite).....	\$3,956,000
Wetlands Mitigation .....	\$487,000
New Courts Building .....	\$13,500,000
Architectural and Engineering Design .....	\$1,689,000
Surveys and studies (boundary, topo, geotech and archeological).....	\$55,000
Testing and inspections .....	\$200,000
Data and telecommunications.....	\$270,000
HVAC commissioning.....	\$50,000
Furnishings and fixtures.....	\$1,120,000
Moving expenses .....	\$20,000
Project contingency .....	<u>\$2,451,000</u>
	<u>\$26,500,000</u>

# What “No” Means

- **Must meet the Courts needs on existing site**
- Judges have complete control in deciding whether a project meets their needs
- “Reduced Scope” project of \$7.5 million has already been rejected
- Full renovation/addition of \$26.3 million deemed acceptable



# What “No” May Mean

**Cost estimates for this alternative include:**

Offsite temporary facilities for Circuit Court Clerk’s and Commonwealth Attorney’s offices .....	\$1,360,000
Onsite temporary facilities to facilitate phased construction .....	\$500,000
Site work (onsite).....	\$2,567,000
Floodwall (onsite).....	\$250,000
Site Work (offsite parking).....	\$475,000
Old building demolition/new addition construction .....	\$12,453,000
Renovation of remaining portions of old Courthouse.....	\$2,904,000
Architectural and Engineering Design .....	\$1,583,000
Surveys and studies (boundary, topo, geotech) .....	\$60,000
Testing and inspections .....	\$187,000
Data and telecommunications.....	\$308,000
HVAC commissioning.....	\$50,000
Furnishings and fixtures.....	\$1,140,000
Project contingency .....	<u>\$2,390,000</u>
	<u>\$26,227,000</u>

# Project Phases

