

---

January 28, 2015, at 7:00 p.m.

\* \* \* \* \*

COURTS COMPLEX – COUNTY SEAT

The Board considered petition/resolution for referendum and authorization to proceed with securing professional services for conceptual design of Courts Complex at Government Center, i.e.; architecture and engineering services.

Mr. Coffield advised that this had been discussed at Monday's Staff Briefing. Tonight's meeting is regarding a resolution to be considered; if approved, a petition will be entered for the Judge's consideration. Staff will pursue a proposal for Architecture and Engineering Services for the joint Court Complex to relocate Circuit Court, General District Court, and Juvenile and Domestic Court. Staff will bring back a conceptual design, possibly with options, for the Board's consideration. He felt that there should be two bids: one for the Circuit Courthouse; and another for Court Complex to include all three courts. It was prudent to have these options publicly prior to referendum presented.

Donald Judy, Attorney and Secretary for the Bar Association, mentioned that a recent resolution had been provided for the Board of Supervisors and felt there were two reasons in not relocating the courthouse: 1) Financial costs; 2) History. He suggested that Augusta County and Staunton work this out.

Susan Read, member of the Bar Association, reiterated Mr. Judy, and added that all of the courts are inter-related and that this was a logistics issue. The courts should not be separated and re-emphasized the historical aspect.

Mr. Karaffa advised that they have had negotiations with Staunton with no success. He noted that the cost of moving all three courts to Verona would be \$38 million and the cost of renovating in Staunton would be \$10 million. He said this is the "fifth reincarnation" of the courthouse and question if it was meeting the needs of the citizens. The building is 113 years and he felt that it may have reached its life expectancy. He mentioned that access for the handicapped and security was inadequate. He questioned how best to serve the public and felt that this question should be put before the voters to answer that question.

Mr. Pyles mentioned that the County has already spent \$85,000 to Frazier Associates for a study and \$2.5 million to keep the Court Complex operational. Staunton has stated they only receive \$15,000 annually and if relocated to Verona, would generate approximately \$150,000 in additional revenue for the County. He agreed that as far as having the Jail transport prisoners to Staunton; there was a security issue. As far as historical aspect, "celebrate here in Augusta County!" He suggested that the courthouse would be a good place for Staunton to use their tax credits. He added that the County has been "hagging" with Staunton for over 10 years and it was enough.

Chairman Shull agreed that the general preference for the courthouse is Staunton, but something needed to be done and Staunton's offer is unacceptable. The County has no choice but to move forward.

Mr. Wills said that he, as Chairman, has been working with Staunton since last year and is very disappointed. The intent was to remain at Staunton, but he agreed with Mr. Karaffa, there are safety issues. He did not feel that they would be destroying history; the building would still remain standing. He affirmed that the courthouse needed proper security and handicap accessibility. He mentioned that the parking was also a problem in Staunton. He welcomed Staunton to provide a new offer; "the offer they gave was a slap in the face."

January 28, 2015, at 7:00 p.m.

COURTS COMPLEX – COUNTY SEAT (cont'd)

Mr. Moore agreed that the general population was getting older and the courthouse did not meet those needs.

Ms. Bragg felt that the move would be effective. If renovation occurred in Staunton, it would benefit the public for approximately 20 years. If it were to be relocated, it would last for approximately 40 years. She agreed that the handicapped accessibility and security were a concern.

Mr. Coffield summarized the Chairman's "letter" regarding history of the courthouse:

The current Augusta County Courthouse was built in 1901 with a major expansion in 1939. In the 1980s, another renovation took place. Since 1988, the County's Government Center master plan has recommended that the County's courts complex eventually be relocated to Verona. This master plan was updated in 2001 and 2008. Since 2000, Augusta County has spent \$2.5 million to update and renovate the courts complex in Staunton. In 2003, the City and County agreed to postpone discussion/need for relocating the courts complex to Verona for 10-15 years. This was conditioned upon the implementation of a strategy to address immediate needs of the Circuit, General District and Juvenile Courts. With this strategy Staunton agreed to:

- Evaluate new site downtown for Juvenile and Domestic-Relations Court.
- Evaluate purchase and renovate an adjacent structure for Circuit Courthouse use.
- Consider downtown space for Chief Magistrate's and Local Magistrate's office.

In 2012, the County commissioned a feasibility study to evaluate the functionality and cost effectiveness of renovating and expanding the existing 1901/1939 circa Circuit Court structure. This report estimated the cost of renovating and expanding the Circuit Court Courthouse at \$9.5 million. The estimated cost of building a new Circuit Court structure in Verona was estimated at \$10.7 million. The "new" Circuit Court facility would be 34,000 sf vs. 24,000 sf for the renovated/expanded courthouse. The additional square footage would allow for greater security improvements, ADA compliance, along with more functional space utilization at "new" courts facility. The media has reported that the cost to relocate the court(s) to Verona would be \$38 million. This estimate is for relocating all three courts (Circuit, General District and Juvenile Courts). The Government Center master plan estimated the County would need a 100,000 sf facility to house the three courts.

When one considers the Government Center as a location for the courts complex, the following benefits can be realized:

1. Court Security – near Sheriff's Department/Jail/Juvenile Detention Center. Enhanced security features with new facility.
2. Extended life cycle with new Verona court complex vs. old facilities in Staunton.
3. Secondary Tax benefits from Attorneys locating in Verona, i.e., Real Estate/Business licenses.
4. Employee meals, retail sales in Verona.
5. Citizen meals, retail sales, lodging in Verona.
6. One-stop Government Center in Verona with other local government functions.
7. Better parking availability – free to employees and citizens.
8. Staffing efficiencies, i.e., security detail, bailiffs, etc.
9. Facilities efficiencies/cost saving, i.e., heating, cooling, water, sewer, IT, trash collection and recycling.

The additional taxes generated from the move could exceed \$150,000 annually. This would include increased County revenues from meals, retail sales, real estate and business license taxes once the County court complex was relocated.

The County, in 2012, shared the results of the study completed by Frazier and Associates with Staunton. We were open and direct with Staunton officials that, while there were many benefits to relocating the courts complex to Verona that if the City would financially participate in the renovation/expansion a possibility existed to keep the courts complex in Staunton for another extended period. The County suggested 50%, but indicated a lesser amount could be considered. The City, in 2012, indicated that, due to the economy at that time, it was not in a position to consider our request and suggested that if we postponed discussions, there would be a better chance of a favorable decision by City Council. After two years, the County's Circuit Court Judge brought together the parties and strongly encouraged a decision by the City, one way or the other, so the County could proceed with either renovation/expansion or relocation of court(s).

January 28, 2015, at 7:00 p.m.

COURTS COMPLEX – COUNTY SEAT (cont'd)

The City's written counter-offer did not specify any direct financial participation (later said it would contribute up to \$110,000 for façade improvements). Additionally, the City said it would "explore" tax credits, Federal and State grants. Again, later, the City indicated that tax credits/grants could "knock out almost half the cost off the project". When asked if the City would commit 50% of the project with tax credits and grants counted against its commitment . . . no response was received. Most egregious was its demand for the County to amend the County Comprehensive Plan any mention of the Government Center as a site for County Courts.

As the County proceeds with its petition/resolution for holding a referendum to relocate the County Seat to Verona, we will also be pursuing the selection of an architectural team to take the Master Plan and develop a "Concept" plan for the Board and public to consider. From this effort, the schematics for the Courts will be designed and a more detailed cost estimate will be generated.

We are still open to Staunton "reconsidering" its position. We also encourage comments from our citizens in this major policy and financial decision regarding our Courts system.

Chairman Shull said that while Mr. Wills was leading negotiations, it was like a slap in the face from Staunton. Augusta County and the School Board worked together and resolved the problem. He suggested that the Bar Association go back to Staunton and talk to them. "It is time to move on. We have a short time-frame to work with."

Mr. Pyles did not think they needed to wait for Staunton to make a decision. "It's time to move on!"

Mr. Karaffa moved, seconded by Ms. Bragg, that the Board the following resolution:

RESOLUTION AUTHORIZING A PETITION TO THE AUGUSTA COUNTY  
CIRCUIT COURT FOR THE ISSUANCE OF A WRIT OF ELECTION FOR  
REMOVAL OF THE AUGUSTA COUNTY COURTHOUSE

WHEREAS, the current Augusta County Courthouse, constructed in 1901 and added onto in 1939 and located at the corner of East Johnson and South Augusta Streets in the City of Staunton, is deemed antiquated and inadequate to meet the needs of the people of Augusta County; and

WHEREAS, the Courthouse was characterized as being antiquated and inadequate in a study performed by Frazier Associates in October, 2012; and

WHEREAS, the study performed by Frazier Associates determined that the mechanical, electrical, and plumbing systems in the Courthouse are antiquated and inadequate; and

WHEREAS, there is a need for additional bathrooms, improved security, and improved handicapped accessibility; and

WHEREAS, the Board of Supervisors of Augusta County financed a study that demonstrates the extreme difficulty of repairing and upgrading the existing Courthouse to current state standards; and

WHEREAS, the only remaining option for rectifying the aforementioned deficiencies is the construction of a new facility at a new location; and

WHEREAS, Section 15.2-1644 of the Code of Virginia, 1950, as amended, provides that the Board of Supervisors may, by resolution, request the Circuit Court of Augusta County, to issue a writ of election for the holding of an election in the County on the question of removal of the Courthouse to a place specified in the resolution.

NOW THEREFORE, BE IT RESOLVED BY THE AUGUSTA COUNTY, VIRGINIA BOARD OF SUPERVISORS that:

1. The Board hereby approves a request to the Court for an election in the County on the question of removal of the Courthouse. The new facility shall be located at the Government Center Complex in Verona, Virginia.

January 28, 2015, at 7:00 p.m.

COURTS COMPLEX – COUNTY SEAT (cont'd)

- 2. The total cost of the Courthouse project shall be up to \$11,500,000.00 all of which shall be appropriated for the erection of the new Courthouse (including any necessary buildings and other improvements at such new location).
- 3. The County Attorney is hereby directed to institute the necessary proceedings in order to carry out the intent and direction of the Board of Supervisors, as set forth herein.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg and Pyles

Nays: None

Motion carried.

\* \* \* \* \*

WAIVERS/VARIANCES – NONE

\* \* \* \* \*

CONSENT AGENDA

Mr. Wills moved, seconded by Mr. Karaffa, that the Board approve the consent agenda as follows:

MINUTES

Approved minutes of the following meetings:

- Organizational Meeting, Wednesday, January 7, 2015
- Regular Meeting, Wednesday, January 14, 2015

PRESTON L. YANCEY – KITCHEN NAMING REQUEST

Considered request of naming kitchen in memory of Harry L. Dull.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg and Pyles

Nays: None

Motion carried.

Mr. Moore noted to the public the Preston L. Yancey – Kitchen Naming Request was in memory of Harry L. Dull.

\* \* \* \* \*

MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Wills announced that he would not be seeking re-election in the fall.

Dr. Pattie hoped that Mr. Trice accepted Mr. Pyle's apology.

Mr. Karaffa:

- 1. Mr. Trice – Welcomed face in the board room and hoped that he continued being there.
- 2. Mr. Wills' announcement – Applaud his service to the County; will be a loss to the Board, but respects his decision.

Chairman Shull:

- 1. Mr. Wills' – Thank you for your service.