

## HISTORICAL NOTES FROM THE LAST COURTHOUSE RENOVATION

Cass County's third courthouse was built in 1899 of wood construction with limestone veneer.<sup>1</sup> The original contract cost was \$43,707 but with the litigation, the project eventually cost \$60,000.<sup>2</sup> The building was designed to house all county offices, the board of supervisors and the circuit court.<sup>3</sup> The courthouse served the county well for the next 70 plus years.

In August of 1970, the Cass County Board of Commissioners elected to build an office building which was to be financed over a three year period. The cost was \$130,000. Originally referred to as the annex, it was built north of the courthouse parking lot along Broadway Street in Cassopolis. The project was questioned by John Keller of Pokagon Township, chairman of the commissioners' buildings and grounds committee, who favored replacement of the courthouse over construction of a small office building. The annex, which opened in May 1971, housed the Cass County Health Department and the Department of Social Services.<sup>4</sup> It currently houses the 911 Center.

About that time, preliminary plans were formulated for a special election to remodel the courthouse and a Niles architect, Edward Duffield, reported on the feasibility of such a project with remodeling estimated to serve the county for at least 40 years.<sup>5</sup> Prosecuting Attorney Herman Saitz led the board of commissioners through the courthouse, labeling it a 'fire trap,' citing the absence of fire escapes on the third floor, and noting that the center wooden stairwell was the only exit. He pointed out the papers and other flammable materials stored next to the stairwell and said he would request an examination by the state fire marshal.<sup>6</sup> Commissioners eventually learned that, with remodeling, 6,000 square feet of space could be added to the 12,000 square feet of working space, according to the plan. Both Saitz and Circuit Court Judge James Hoff supported the project, delivering 500 copies of a statement explaining why.<sup>7</sup>

Voters went to the polls on November 4, 1971, and approved establishing a sinking fund for two years and the raising of the millage for county use by one mill for 1972 and 1973 to remodel and repair the courthouse. Proposal 1, which would give commissioners the right to raise the millage, passed by 400 votes. Proposal 2, which would establish a sinking fund for two years, passed by 413 votes. Total, votes cast were 3,194, or less than one quarter of the total registered voter roll of the county.<sup>8</sup>

Remodeling wasn't expected to begun before the Spring of 1973 because of the delay in availability of the millage money and because a new board of commissioners would be in place after the November 1972 elections. Eleven commissioners would be elected in November, three incumbents weren't returning because of redistricting and six

<sup>1</sup> Cassopolis Resident Recalls History of Cass Courthouse; by Clair Brown, Michigan Courthouse Review, December, 1964.

<sup>2</sup> Ibid.

<sup>3</sup> History of Cass County, p. 208, by L. H. Glover. Published by Lewis Publishing Company, Chicago; c. 1906.

<sup>4</sup> Dowagiac Daily News, August 27, 1970, and June 22, 1971.

<sup>5</sup> Local news of June 10, 1971 (publication's name not denoted on copy)

<sup>6</sup> Dowagiac Daily News, copy undated)

<sup>7</sup> Dowagiac Daily News, October 29, 1971.

<sup>8</sup> Cassopolis Vigilant, November 4, 1971.

incumbents were opposing each other. Several others were losing their districts through reapportionment.<sup>9</sup>

In March of 1973, the commissioners hired Cole and Associates of South Bend to work up plans for a one, two or three story building that would hook onto the courthouse to the north or east side of that building. Commissioners earmarked \$350,000 for the project, \$175,000 of which would come from federal revenue sharing funds. The addition was estimated to cost more than \$600,000, and it would be done in conjunction with a planned renovation of the courthouse. Commissioners also purchased property adjacent to the annex, making a down payment of \$500 toward the purchase price of \$25,000. At this time, the Mental Health Board also was seeking more space and the possibility arose of the agency being housed in the (proposed) courthouse addition. Commissioners also were told that the Medical Care Facility needed building plans or faced closure by the state.<sup>10 11</sup>

A public hearing, where preliminary plans were unveiled on the courthouse renovation and construction of a new addition, was dominated by jurist and department heads who said the courthouse was outdated and too small for business. John Keller presented a petition asking that other sites be considered and questioning the legality of commissioners using millage money for construction of a new addition. Although architects said the courthouse was a "fine building for its age," they noted shortcomings in meeting building codes and said that of 21,000 square feet in the building, only 17,000 was usable. The stairway would have to be enclosed and two stairways and an elevator added to meet fire marshal regulations. Several officials spoke. Prosecuting Attorney Michael Dodge related turmoil in his courthouse office, saying one electrical receptacle supplied electricity for three electric typewriters, a coffee pot, a radio and Dictaphone. Several others also spoke of conditions.

There was no discussion on alternate plans to the Cole study and Keller called the renovation a "stacked deck." The building committee, headed by Commissioner Charles Sarabyn and including Keller and commissioners Johnie Rodebush and Robert Powers, indicated that the addition that was proposed was the only study made. Keller believed the total package would cost \$1 million upon completion. The design for the addition was intended to use as little space as possible because of parking problems. The new structure, according to plans, would have about 15,000 square feet, which would give the county necessary space for about 20 years.<sup>12 13</sup>

By November of 1973, several plan changes for the remodeled courthouse had been presented to commissioners and a "top dollar" limit was set at \$750,000. The architect for the courthouse addition had dropped plans for an underground garage and Commissioner Kenneth Fox complained about the decision making concerning the remodeling, calling for more volunteers on the citizen advisory board instead of the current commission appointees. The architects considered changing their thinking of the position of the addition because of land space. The courthouse renovation project was re-estimated at \$565,000 and the addition, at \$269,000.

<sup>9</sup> South Bend Tribune, September 27, 1972.

<sup>10</sup> Cassopolis Vigilant, March 15, 1973

<sup>11</sup> Edwardsville Argus, June 16, 1973

<sup>12</sup> South Bend Tribune, October, 25, 1973

<sup>13</sup> Cassopolis Vigilant, November 1, 1973.

By February of 1974, the remodeling and addition had been estimated at \$988,200 and commissioners agreed to proceed and studied financing methods. Besides millage funds, the county had set aside \$300,000 in surplus funds and revenue sharing monies. Although the fund originally had more than \$400,000, nearly \$100,000 was spent on purchase of properties and work in the annex.<sup>14 15</sup>

The addition was to be 15,317 square feet and was to house the register of deeds, tax description office, county treasurer, county clerk, equalization office, planning commission and drain commission. It was recommended that the county extension office be housed in the annex while the health department and related services would be moved into the old medical care facility building on Hospital Street. A contingency plan would be the building of a second floor onto the addition, to be left vacant for possible future needs. A three-level tower would join the addition to the courthouse.<sup>16 17</sup>

Herbert Rosselit of Milton Township and Richard Grabemeyer of Silver Creek Township questioned the planning that had gone into the project and whether the remodeling was the same concept voted on by the voters. Rosselit was told the addition was added because the county needed more space. The commissioners were asked to "pursue a policy of giving better information to the public." Rosselit also had reservations about closing off the front entrance to the courthouse.<sup>18</sup>

Donald Marlin, former township supervisor of Howard Township, Pokagon Township Supervisor John Keller, two members of the county's medical care facility auxiliary and the Michigan Townships Association, were among those who circulated a petition against the building of a courthouse addition. They were accused of being interested in seeing revenue sharing money go to a medical care facility. A proposal, defeated in the past on that facility, was scheduled to go before the voters again as the building was facing closure by the state.<sup>19</sup> The board then held a public hearing on the proposed addition and in May, 1974, released sketches of that addition. Marlin proposed that the board of commissioners call for a public referendum on the possibility of relocating the county offices to a new site, citing the ongoing project as a "waste of our taxpayers' money."<sup>20</sup> They also cited a lack of parking spaces in the village.

In July, 1974, the commissioners asked for bids on both the courthouse remodeling and addition with architects estimating the project costs at \$1.1 million. Bids were to reflect a second story in the addition as an alternate proposal. Architects said floors in the old courthouse would be concreted over and covered with carpeting, all doors and wood trim would be removed and new doors put in place, and the plumbing and electrical systems would be moved. There were plans to use the existing steam heat unit and an air conditioning unit housed in the attic. The design called for plastered walls to be salvaged and painted, and ceilings lowered with indirect lighting installed. There were no plans for windows in the addition with the aim to conserve energy. The addition

<sup>14</sup> Cassopolis Vigilant, November 15, 1973

<sup>15</sup> Dowagiac Daily News, December 12, 1973

<sup>16</sup> Marcellus News, February 28, 1974

<sup>17</sup> Marcellus News, March 21, 1974

<sup>18</sup> Marcellus News, April 18, 1974

<sup>19</sup> Dowagiac Daily News, May 9, 1974

<sup>20</sup> Dowagiac Daily News, June 6, 1974

was to have its own heating units. The three-story service tower was to contain gold reflective glass.<sup>21</sup>

Meanwhile, the Cassopolis village officials complained that they were left out of the courthouse renovation plans, particularly because the county was using village parking spaces, and also alleged that the county did not seek a building permit, even though it was claimed that the county was exempt from that process. The village attorney believed that the county was required to comply with village zoning ordinances.<sup>22</sup> Cole and Associates informed the county in September 1974<sup>23</sup> that new state regulations for the handicapped should be considered by the board before voting on the awarding of the bids. A stumbling block was the size of the door openings in the courthouse which, under new laws, must be at least three feet wide. Compliance could mean breaking through 12-inch thick walls to widen some openings. Miller-Davis of Kalamazoo was denoted the low general contractor. R.W. LaPine of Paw Paw was selected as the mechanical contractor, and Boyd Electric of Niles was the low electrical contractor.

Alternatives for masonry work on the courthouse, vinyl paneling in lieu of dry wall and landscaping at the annex were dropped for a savings of \$24,100. The second floor shell plan to the addition and landscaping around the addition and courthouse were kept with the general contractor bid set at \$790,764. The total renovating and addition bids were \$1,191,926.<sup>24</sup> Construction contracts were approved in October 1974.<sup>25</sup> Debate centered on a large tract of land that was available for purchase on the north edge of the Village of Cassopolis. Commissioner Robert Powers wanted the courthouse project "completely rethought." The board's consensus was that it was too late to turn back Prosecutor Michael Dodge reported that he had researched local, state and federal guidelines on spending revenue sharing monies and found no hurdle.<sup>26</sup>

The county commissioners put seven parcels of land under option to purchase and thus completing the courthouse "square." Cost of the parcels was \$133,000. Two other parcels were purchased earlier for \$38,000. All of the houses, garages and outbuilding were to be removed and the land paved for a parking lot.

All offices were scheduled for the move into the new addition in July, 1975. Offices moved permanently were the register of deeds, planning commission, equalization, tax description and drain commissioners, as well as the clerk's and treasurer's offices. The county also planned to move all of the courts to the second floor addition during the courthouse renovation.<sup>27 28 29</sup>

By October, 1975, the county commissioners had approved the stripping of all of the walls in the courthouse down to brick and lath at a cost of \$4,500. All walls were to be re-plastered because the original walls did not adhere to the wood lath or brick as it no

<sup>21</sup> Cassopolis Vigilant, August 22, 1974

<sup>22</sup> Cassopolis Vigilant, September 12, 1974

<sup>23</sup> Cassopolis Vigilant, September 19, 1974

<sup>24</sup> Ibid

<sup>25</sup> South Bend Tribune, October 4, 1974.

<sup>26</sup> Cassopolis Vigilant, October 10, 1974

<sup>27</sup> Cassopolis Vigilant, January 9, 1975

<sup>28</sup> South Bend Tribune, May 14, 1975

<sup>29</sup> South Bend Tribune, July 9, 1975