



State of North Carolina
General Court of Justice
29B Judicial District

MARK E. POWELL
SENIOR RESIDENT SUPERIOR COURT JUDGE

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HENDERSON COUNTY COURTHOUSE
HENDERSONVILLE, NC 28792

June 11, 2015

Commissioner Mike Hawkins, Chair
Transylvania County Board of Commissioners
101 S. Broad Street
Brevard, NC 28712

Commissioner Larry Chapman, Vice Chair
Transylvania County Board of Commissioners
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Brevard, NC 28712

Commissioner Jason Chappell
Transylvania County Board of Commissioners
101 S. Broad Street
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Commissioner Page Lemel
Transylvania County Board of Commissioners
101 S. Broad Street
Brevard, NC 28712

Commissioner Kelvin Phillips
Transylvania County Board of Commissioners
101 S. Broad Street
Brevard, NC 28712

Dear Commissioners:

I hope you are doing well. I rarely seek to have any involvement in governmental affairs, trusting in the judgment of our elected officials. However, I feel I need to have some input on the decisions that will be made concerning the future of the Transylvania County Courthouse.

June 11, 2015

I, along with others who regularly use the courthouse, appreciate the careful consideration you are giving to the problems we are facing and the possible solutions to those problems.

A courthouse is a reflection of the community. It personifies, as much as a building can, the commitment of the community to achieving justice among its citizens and the resolution of disputes between those citizens.

During my more than twenty-two years as a judge I have held court in twenty-one counties. A few courthouses have been new buildings with modern facilities, some were older buildings with updates and some were very difficult to work in. We have always "made do" with what we had, as that is our job. But I know you understand that hearing, for example, a trial of a person charged with molesting a child is much easier in a newer facility with adequate space than it is in a crowded building that has no parking for jurors. Adequate facilities allow us to concentrate on what we are there to do, instead of solving logistical problems.

Courthouse facilities also have an effect on the attitude of persons present. I have seen such in the faces of jurors. When in a newer facility, they are focused on the decisions they must make and are willing, usually, to be involved in the process as part of their civic duty. When they are crowded into a small room or forced to stand in a hallway because there is no other place for them to be, they tend to act differently, and understandably so. When I am in counties that have updated their small and dark courtrooms into ones that facilitate work being accomplished, I have been told that the behavior of the defendants has improved. There may be many theories for why that is so, but I believe it is because they realize that the judicial process is being taken seriously.

When I attended the meeting in February with Dan Mace of Moseley Architects, it was clear that all of the persons present had the same goal: to work with Mr. Mace to develop a plan for a new courthouse that would meet the needs of our citizens for years into the future but to discard the unnecessary. From the viewpoint of superior court, I told Mr. Mace there were two offices shown that we would not regularly, if ever, use. Those offices were then designated for other personnel who would use them. We worked toward the preparation of a plan that you, the commissioners, would see as well thought out and not extravagant in any way.

There is never a good time to build a new courthouse. I believe that most persons would agree, however, that now something needs to be done. I appreciate your consideration of my thoughts.

Sincerely,



Mark E. Powell

Resident Superior Court Judge

cc: Jaime Laughter