

## Blanco County Courthouse: The Saga of the Sagging Roof

### Summary

The Blanco County administration and staff have vacated the County Courthouse in Johnson City due to structural deficiencies which have been known but gone unattended for many years. On June 13, 2024 Jeffrey Smith, P.E. of Smith Structural Engineers inspected the structural framing which supports the roof of the courthouse. His inspection was intended to update the condition of the roof structure which had previously been identified as structurally deficient in September 2019.

In **August, 2019** Blanco County contracted Hutson Gallagher, Inc. to provide architectural and engineering services, and to update the County's 2000 Master Plan. A current Master Plan is the first step toward qualification for Texas Historical Commission (THC) grants. On Sept. 24, 2019 Sparks Engineering visited the Courthouse to begin their structural condition assessment under the direction of Hutson Gallagher. After further field inspections were delayed through the COVID period, a draft Master Plan was presented to the Commissioners Court on August 24, 2021. At that time the condition of the roof structure and its "need to be addressed very soon" was discussed.

On **September 14, 2021** the Commissioners Court voted to engage a second Architect, SLS Partnership (SLS), to make recommendations and establish a design approach to remedy the structural problems impacting the roof. On January 11, 2022 SLS made a proposal to oversee a detailed engineering design and bid package to make the necessary repairs to stop the outward movement of the north and south walls and the sagging roof.

### Architects and Engineers:

**Hutson Gallagher, Inc. - Architect** - Historic Architecture & Conservation

**Sparks Engineering, Inc.** - Structural Engineers

**H2MG, LLC** - Consulting, Mechanical, Electrical, Plumbing Engineers

The Hutson Gallagher team was hired in 2019 by Blanco County to update the Blanco County Courthouse Master Plan based on research and physical evaluations, and to coordinate all aspects with the Texas Historical Commission to ensure compliance with all THC requirements.

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**SLS Partnership, Inc. - Architect** - Planning Project/Construction Phasing

**DLD Engineering, LLC** - Structural Engineers

The SLS team was hired by Blanco Co. in September, 2021 to design needed structural modifications, identified by the Hutson Gallagher team.

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**Stan Klein Architect, LLC. - Architect** - Architect and Preservation Consultant

**Smith Structural Engineers** - Consulting and Structural Engineers

Hired by Blanco County in the Spring of 2024 to review previous reports, design, and oversee construction of roof structure modifications

On **April 20, 2022** Hutson Gallagher, Inc. submitted an updated Blanco County Master Plan to the Commissioners Court. The report contained a structural section provided by Sparks Engineering, Inc. with recommendations for the roof structure and outward moving walls, as well as an admonition to follow-up on the findings. They stated **“if repair is not undertaken within six months then quarterly monitoring should be done by a design professional”**. The report provided two options. One for rehabilitation and another for full restoration of the entire courthouse. Costs ranged from \$4,102,496 for rehabilitation to \$9,207,511 for a full restoration. Rejecting the THC oversight conditions and the cost share, the County decided not to pursue a full restoration THC grant.

### **Master Plan Findings and Conclusion:**

On April 20, 2022, Hutson Gallagher, Inc. submitted an updated Master Plan to the County. The document contains over 240 pages of detailed photos, architectural drawings, descriptions, analysis, and recommendations.

Hutson Gallagher put together a team of structural engineers from Sparks Engineering, Inc.(SEI) and mechanical, electrical and plumbing engineers from H2MG & Assoc., Inc. (H2MG) to evaluate and make recommendations to resolve the deficiencies.

#### **General Conclusions:**

Considering the age of the structure, the courthouse was deemed to be in overall fair condition, SEI’s professional engineer (P.E.) noted that outward movement of the north and south walls due to the roof structure’s inability to transfer its weight properly posed a significant risk. The condition had been addressed with repairs in 1998 and those modifications restricted the movement but did not stop it. Patrick Sparks, P.E. stated, **“if repair is not undertaken within six months then quarterly monitoring should be done by a design professional.”**

Other significant problems include:

- ◆ HVAC/ mechanical systems require replacement
- ◆ Future use depends upon upgrade of the electrical systems
- ◆ Needs for audio / visual upgrades in the courtroom
- ◆ No fire alarm system, emergency lighting, and limited exit signage
- ◆ Prior to construction, asbestos containing materials must be abated
- ◆ Code violations (safety, electrical, plumbing, access, etc.) have been grandfathered and must be corrected as construction takes place.

On **June 20, 2022** the Commissioners Court reviewed THC questions relating to the County application for a THC emergency grant. The application sought \$717,700 from THC with a County commitment of \$273,300. Once again, THC requirements would require THC approval of maintenance activities inside the courthouse to ensure historical integrity is maintained. The Commissioners Court unanimously rejected those conditions and the emergency grant was not obtained from THC.

The Commissioners Court, led by Judge Brett Bray, ignored the Hutson Gallagher team’s admonition to take positive actions to prevent the potential of a catastrophic collapse due to the deficient roof structure. In the June 20<sup>th</sup> meeting, Scott Schellhase of SLS said “right now the superstructure and everything up there, the roof members have shifted, twisted, and settled 6 - 8 inches”. Even after authorizing the SLS Architect/Engineering team to prepare final designs and bid packages, no construction contract was executed and no quarterly inspections were conducted.

Starting early in 2022 the County proceeded with an expansion of the South Annex in Blanco, the design and construction of new buildings at the Fairgrounds, a new two story Old Jail office complex, and the new EMS 1/Star Flight facility in Round Mountain. The projects have cost Blanco County taxpayers over \$10.9 million dollars.

Between September 2021 and July 2024 the Commissioners Court was repeatedly urged to give this safety circumstance a higher funding priority for

**County Infrastructure Projects:**

South Annex expansion - Nov. 2022	\$493,507
<a href="#">Fairgrounds</a> buildings - March 2024	\$4,379,248
<a href="#">Old Jail office</a> complex - June 2024	\$1,630,247
EMS #1 / Star Flight - in progress - approx.	\$4,400,000 - (TBD)
<b>Total</b>	<b>\$10,903,002</b>

construction projects. Through emails to the Court, public comments at their meetings, social media postings, and letters to the editor, the safety concerns were continually brought to the attention of an unresponsive Court.

Finally, in the spring of 2024 the Court decided to again evaluate the courthouse roof structure and a third Architect/Engineering team, San Klein Architect and Jeffery Smith, P.E. (K&S) were hired to evaluate the Courthouse roof. On June 24, 2024 Jeffrey Smith, P.E. wrote to Judge Bray advising that the County should immediately cease use of the Courtroom to “ensure there are no life safety issues with continued use of the offices and the courtroom on the second floor.” At that point Judge Bray initiated the process of closing the Courtroom and later relocating all courthouse personnel.

**BACKGROUND**

The Blanco County Courthouse in Johnson City was built in 1916. Through the years various construction projects provided upgrades to the building and completed major maintenance needs.

1922 - lighting upgrades

1952 - connected to city water system

1957 - vinyl floor -first floor

1969 - offices added 2<sup>nd</sup> floor

1993 - elevator added

1997-1998 - major structural repairs

- ◆ north and south walls were reinforced to restrict outward movement due to the weight of the roof structure.
- ◆ roof replacement
- ◆ interior walls added providing additional office space on the 2<sup>nd</sup> floor.

2000 - Master Plan developed - Volz & Associates, Inc.

2006 - windows replaced with aluminum.

2019 - Hutson Gallagher, Inc. was hired to update the 2000 Blanco County Courthouse Master Plan. The evaluation began in 2019, but was delayed through the COVID period.

2022 - Updated Master Plan submitted - Hutson Gallagher, Inc.

The Master Plan is comprehensive and includes:

- ◆ Physical deficiencies of the building
- ◆ Code compliance and accessibility requirements
- ◆ Space planning for offices, meeting areas, restrooms, etc.
- ◆ Structural conditions and note of required remedies to deficiencies
- ◆ Evaluation and recommendations for mechanical, electrical, plumbing and fire alarm systems
- ◆ Cost estimates for rehabilitation and full historical restoration

## REHABILITATION VERSUS FULL RESTORATION:

The cost of a full historical restoration versus rehabilitation is very significant.

### Rehabilitation:

This option would bring the building up to modern codes with upgraded HVAC, plumbing, safety and ADA requirements, alarm systems, and upgrades to ensure structural integrity long into the future. Rehabilitation retains the features which convey the historical culture and architectural values. However, space utilization and interior finishes (flooring, wood trim lighting, etc.) would not be limited, allowing the County flexibility and complete discretion. External features of the Courthouse would be preserved to maintain the historical character. The Commissioners Court has expressed a desire to maintain the 2<sup>nd</sup> floor offices constructed under the 1969 improvements.

### Full historical restoration:

This would accomplish all of the same necessary upgrades but would return the courthouse to its original architectural features and space use. Full restoration would be far more expensive to achieve. All aspects of the project would be required to conform to the Texas Historical Commission (THC) standard in order to qualify for THC grants to help offset the higher cost.

However, THC would require that the courtroom be restored to its original size, eliminating the 2<sup>nd</sup> floor offices that were added in 1969 and deemed important by the Commissioners Court.

THC has assisted with funding for over 136 County Courthouse upgrades across the 254 counties. Over 78 of those upgrades were full restorations. Benefits associated with full restoration are accessibility, safety, energy efficiency, improved acoustics and audio visual systems. However, the most striking benefit is economic development achieved by reinvigorating the historic downtown area. Both property values and business revenues have been shown to increase from historical tourism.

### Hutson Gallagher's Estimates - Rehabilitation & Restoration:

#### The Rehabilitation option would include:

- ◆ **Interior:** Asbestos removal; plaster repair on walls and ceilings; fire alarm and sprinkler installation; emergency lighting and exit signage; firewalls and smoke barriers if required; and floor finishes supporting accessibility and safety.
- ◆ **Structural:** Add tie rods & bracing to restrain the outward wall movement; exterior stone, mortar, and column repair; strengthen roof valleys
- ◆ **Mechanical, Electrical, and Plumbing:** Replace all mechanical systems (HVAC); Replace all electrical service, including panels, conduit, outlets, switches, relays, etc.; replace all interior plumbing with code compliant fixtures; reconfigure restrooms to meet ADA accessibility standards.

- ◆ **Construction time:** 9 months

#### ◆ **Rehabilitation COST: \$4,102,496**

#### Full Restoration would include:

- ◆ **Rehabilitation items noted above**
- ◆ **General interior:** Re-open original ceiling heights; Return to original lighting; restore historic woodwork; repair historic flooring (including cork & concrete) where applicable
- ◆ **Courtroom:** Restore all courtroom features (judge's benches, jury boxes, witness stands and all railing); restore to original ceiling; provide 2<sup>nd</sup> floor offices without concealing original walls (glassed free standing offices); and provide courtroom technology without harming historic appearance.

- ◆ **Construction time:** 12 months

#### ◆ **Restoration COST: \$9,207,511**

## **COUNTY ACTIONS / IN-ACTIONS:**

**January 2019** the THC announced \$50,000 planning grants for counties needing assistance to update their historic courthouse master plans. Blanco County took a positive step by contracting Hutson Gallagher, Inc. to provide architectural and engineering services to update their previous master plan.

**August 24, 2021-** Commissioner Court was briefed by Hutson Gallagher on the structural problems during an update on a draft of the new Master Plan.

**September 14, 2021** - Engaged SLS to make recommendations and establish a design concept to address roof issues.

**May 13, 2022** - The Commissioners Court voted to submit the THC grant application based on the new Master Plan prepared by Hutson Gallagher on April 20, 2022.

When discussing the THC construction requirements to qualify for THC grants, Judge Bray and the Commissioners Court resisted adoption of THC requirements. Judge Bray said he did not want to relinquish control over building modifications and return the Courthouse to the original historic appearance. Of particular concern was the requirement to open up the 2<sup>nd</sup> floor courtroom to the original size, thus making significant modifications to existing office space. The Court was also concerned with the requirement of returning the Courthouse floors to the original scored concrete surface. They also discussed the difficulty working with THC during the replacement of the Courthouse windows in 2006. However the application was submitted hoping the grant would be awarded allowing negotiation on the terms.

**June 20, 2022** - A Special meeting of the Commissioners Court was called to review THC questions regarding the County's grant application requiring a quick response. The discussion reinforced their previous concern over the restrictions which would be imposed by THC if grant funds were used. The status of the County's request for an emergency THC grant to make immediate repairs was also discussed. The County had submitted a request for \$717,700 from THC with \$273,300 of matching funds from the County for the roof structure repairs alone. The Commissioners Court voted unanimously to reject THC's requirement that the emergency grant would also be contingent on the County providing a building easement, giving THC control of interior features of the courthouse. As a result, the THC did not approve the request for emergency funding.

**July 12, 2022** - During a budget workshop Judge Bray noted that there would be no THC grant funds. He offered four funding options with his proposed budget.

1. "Take it out, wait till next year."
2. "Leave it in the budget"; in the event that revenues are up and the County is capable of managing an additional project.
3. "Budget 1/2 now"; make it a two year project.
4. "Finance & spread the cost over 7 - 10 years."

**Oct. 1, 2022** - The approved 2022/23 budget did not fund repair or quarterly inspections.

**[Q: With knowledge of the recommendation to, at a minimum, conduct quarterly monitoring, why didn't the Court fund such a program?]**

Without a THC grant the Commissioners Court opted to “take it out” of the final budget, ignoring the opinions of two different teams of Architects and Professional Engineers that the roof/wall conditions demanded action. In short, our elected officials appear to believe that their elected positions impart technical knowledge; they do not need to accept expert advice. However, they approved a footnote in the budget document recognizing the possible costs. But they DID NOT allocate any funds for the work.

While the courthouse conditions worsened, the Commissioners Court went on a spending spree to construct new buildings across the county. The justification for the chosen projects was dubious, if existent at all. Rejecting the urge to fund and build new facilities of little public benefit would easily have allowed funding of the rehabilitation or even the full restoration of the courthouse. Or, a third option of only correcting the urgent structural problem could have easily been funded. My wife and I repeatedly communicated verbally and in writing the need to address the safety issue before other construction projects.

**[Q: On Dec. 6, 2022 Judge Bray signed a \$2,741,202 contract for buildings at the Fairgrounds. It included the cost of a new Concession Stand (an option) for \$1,078,561. WHY?]**

**February 1, & 14, 2023** - I emailed all members of the Commissioners Court, reminding them of the history and previous admonitions to fix or inspect the roof structure, and the increased urgency due to the heavy ice load on the roof from the winter storm.

**[Q: On March 23, 2023 the Court authorized construction of the optional \$1,078,561 concession stand. They also began the search for additional financing for the added work. Why didn't they include the courthouse work in the financing search?]**

**March 30, 2023** - After the Commissioners Court announced they would seek financing for several County construction projects my email to Judge Bray and the Commissioners urged them to place the Courthouse work as the highest priority.

**October 1, 2023** - Approved 2023/24 budget; once again with NO funding for repair or quarterly inspections. They did place a footnote in the budget document recognizing the possible costs.

**October 23, 2023** - I provided the THC announcement of 2024 Historical Courthouse Grants to Commissioner Riley. Grants were available for planning, full restorations, and emergencies to address critical issues. The window for applications opened in Feb. 2024 and closed on May 13, 2024. Charles Riley verbally advised it was too late to get any funds in the 2023/24 budget but he would press the issue in the next budget cycle.

**January 9, 2024** - Commissioners Court approved installation of a fire alarm system (This item was included in the April, 2022 Master Plan).

**Spring 2024** - Stan Klein Architect, LLC. and Smith Structural Engineers (K&S) were engaged to evaluate and recommend actions for the courthouse roof. I have not received a copy of the contract at the time of this article.

**June 24, 2024** - Following receipt of the [letter](#) from Jeffrey Smith, P.E. recommending that the Courtroom not be used, Judge Bray discussed the matter with him. On July 1, 2024 Judge Bray described that conversation to the Commissioners. He said Mr. Smith told him, “he can’t tell you if it’s going to fall in five minutes or five years”. Judge Bray also told the Commissioners, “he, I guess, felt obligated under his code of ethics to use the phrase that as a matter of public safety, we needed to immediately cease using the Courtroom.” Still, Judge Bray seemed to disrespect the professional opinions of experts, even when the County was paying for their opinions.

**July 9, 2024** - Judge Bray announced, “for public consumption” the Court will meet at the North Annex “unless the Engineer certifies that the Courtroom is no longer a public safety issue, or the majority of the Court wants to assume the risk for you.”

**July 23, 2024** - Judge Bray discussed the concern that the State’s purchase order process was “hindering the ability to do something quickly.” He explained a potential exemption on projects over \$50,000, but there must be a public safety component of the project. Judge Bray further explained, “We may have to move some people and the sooner we know that the better. Furthermore we are in the last couple of days of July and it would be really good if we could cost out some of this project in this year’s fiscal money because we have budgeted a good sum; in fact we could cover the entire Phase I<sup>1</sup> cost if it is as we expect it to be. So that requires starting. Can’t start till we sign a contract.” The Court approved a motion to “grant an exemption to the competitive bidding requirement for the shoring of the structure for the cupola repairs at the Courthouse based on the need to preserve and protect the public safety of the residents of Blanco County.” Without having a contractor inspect the project, K&S previously provided Judge Bray with a likely cost range for Phase I of \$80,000 to \$90,000 and advised to expect the contractor’s lump sum bid on July 25th or 26th.

**[Q: Why, after years of delay was Judge Bray so anxious to get a contract in place for the work? Why was paying for the work in the fiscal year (prior to Oct. 1) worth sacrificing competitive pricing? Why would the contractor only be allowed two days to prepare an estimate for such a complex and critical project?]**

**July 24, 2024** - Stan Klein, P.E. inspected the structure with the steel contractor (DART Construction) to better understand the complexity of the initial work to stabilize the cupola area of the roof structure.

**July 29, 2024** - Expecting bids, Judge Bray had called a Special Meeting wherein the Court would review the bid for Phase I. Upon convening the meeting it became clear

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<sup>1</sup> Phase I - All construction necessary to stabilize the cupola and roof to prevent any movement prior to and during the construction of the final structural modifications to the cupola/roof/wall structure.

that DART Construction had not provided the quote to K&S for submission. The Court, desiring to move ahead and expecting a bid under \$100,000, decided to approve a contract for a “not to exceed \$95,000 with County Attorney approval.” The contract would be awarded to Dart Construction as recommended by K&S.

**[Q: Why was Judge Bray satisfied to receive just one cost estimate? Why would the County create a contract based on an estimated range, not knowing what the contractor had learned from the site visit?]**

**August 2, 2024** - In another Special Meeting, the Commissioners Court discussed the options for Phase I of the project. Phase I is to shore up the roof and cupola before structural repair can begin. Jeffrey Smith and Stan Klein were involved in the discussion by telephone. The meeting was prompted because the price to do the shoring (\$118,804) received from Dart Construction was well over the \$95,000 authorized on July 29. The impression after discussing the bid with Smith and Klein was that DART’s number might not have been comprehensive and therefore the bid might be subject to change orders and cost increases. Prior to the meeting, Stan Klein recommended to Judge Bray to seek other quotes. Judge Bray agreed and K&S reached out to get more contractor proposals.

**[Q: Even though the exemption allowed leeway in the formality of the process, why had the Commissioners Court been satisfied to seek only quote on this very significant project? Were they over confident with their own knowledge, capabilities and wisdom? Were they blindly following the advice of K&S? Or were they just in a big hurry without understanding the magnitude of this project?]**

A proposal by J.C. Stoddard Construction to remove some of the Courtroom ceiling (Phase IA)<sup>2</sup> to afford adequate access to the area for full evaluation was discussed. Stoddard representatives had spent four hours on August 1<sup>st</sup> trying to evaluate the structure. Unable to adequately inspect the structure, J.C. Stoddard proposed the Phase IA. By opening a section of the ceiling a structural design for the shoring to be constructed (Phase IB)<sup>3</sup> would ensure safety and a bid that would be comprehensive. The scope of the project was becoming clearer for some of the Commissioners as the complexity was discussed. They also discussed the County’s desire to keep some employees in the Courthouse during the work. K&S explained the process and expressed concern for the potential hazards of working with personnel still in the building.

**[Q: Why were the professional recommendations of both the Hutson Gallagher and SLS teams ignored two years earlier, before the situation became a crisis and a “threat to public safety”?]**

The Commissioners approved a contract with J.C. Stoddard in the amount of \$13,350 for Phase IA work, the opening of the ceiling.

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<sup>2</sup> Phase IA - removal of portions of the courthouse ceiling to allow full access to the roof structure for inspection and evaluation of structural conditions.

<sup>3</sup> Phase IB - Installation of shoring structures, designed based on detailed evaluations of the structure in Phase IA prior to final structural modifications to the cupola/roof/wall.



**September 30, 2024** - Following receipt of J.C. Stoddard's proposal to complete Phase IB for \$150,000 plus a \$20,000 contingency for unforeseen issues, the Court discussed their options. Judge Bray expressed extreme displeasure with the lack of progress made on the project. He said "they told us that they would start the day after Labor Day if we moved out, and we moved out." When Commissioner Weir asked about communications, Judge Bray said that "there was a period there between when we moved out and a week or two ago that I don't feel like I was getting any kind of communication."

**[Q: Once access through the ceiling was made available, why didn't the court seek multiple bids for the Phase IB work?]**

Kim Ashby, Asst. County Attorney, was still working on specific items of dispute to finalize a contract with J.C. Stoddard. She indicated that the primary issues holding it up were insurance and liability differences. The Judge suggested potential options including:

1. "Just not do this"; no contract
2. If no contract - seek another contractor
3. Might be looking for a whole new team. "I'm not completely opposed to that."
4. Keep the team - "I'm not really excited about it"

Commissioner Weir asked about the schedule. Judge Bray responded "the 14<sup>th</sup>" and "they would be done in two weeks". The Court approved the proposed contract for not to exceed \$170,000 with the County Attorney's approval.

**[Q: Did Judge Bray still not appreciate the complexity and need for a formal engineering design, even for the shoring (Phase IB) project? The time allowed for design and estimates was not realistic. After Phase IA was completed, was DART allowed to modify their quote based on improved access to the roof structure? It seems as though Judge Bray's expectations are driven by some unknown motive or lack of understanding.]**

**October 1, 2024** - The 2024/25 budget has \$500,000 allocated for courthouse restoration. At the time of this article designs for Phase II work have not been made public. It is uncertain whether the budgeted amount will be enough.

The contract for Phase IB was not in place at the beginning of the 2024/25 fiscal year. Therefore it appears the work and expenses associated with the Phase IB contract (\$170,000) with J.C. Stoddard must also be funded from the \$500,000 allocated in the new budget.

Over the past several years the Commissioners Court has repeatedly made poor financial decisions when faced with the failing courthouse roof structure. The Court originally showed little trust in the professional opinions received. When coupled with the project cost and their failure to obtain THC funds, the Court kicked the can down the road. It even ignored the least expensive measures for ensuring the safety of county employees and the public. Then, as they impulsively began building new County buildings which would give voters a sense of progress, they chose to add more debt to taxpayers to fund their legacy projects. The Judge and Commissioners have

committed a dereliction of duty by ignoring the County's largest and most important structure, the center of county business and symbol of Blanco County history.

During the four months the courtroom has been closed, all personnel have vacated the Courthouse and materials have been moved into the building. But I am unaware that the Phase IB shoring work has begun. The contract for Phase IB has not been made available, nor has the preliminary design or cost estimate for the ultimate structural modifications been provided.

I will pursue additional information and update this article as it becomes available.

**NOTES:**

1. Bracketed **RED text** reflects the author's thoughts and unanswered questions.
2. **Q:** introduces the author's question
3. All financial figures are based on verbal or written statements made between members of the Commissioners Court and their various Architectural/Engineering contractors. No invoices for actual work product have been provided to this date.

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