

**TEXAS HISTORIC COURTHOUSE PRESERVATION PROGRAM  
ROUND VII****APPLICATION PROCEDURES****Program Background:**

In 1997, Gov. George W. Bush issued an unprecedented call for the development of a statewide program designed to preserve the unique collection of county courthouses in Texas. His courthouse initiative built on the rich architectural and historical heritage of these buildings, many of which serve as outstanding state and national examples of craftsmanship and design. In 1998, the National Trust for Historic Preservation joined in the preservation effort by naming the Texas courthouses to their national list of 11 Most Endangered Historic Places. The listing brought even more attention to the plight of the state's county courthouse collection.

In response to these and other calls for action, the Texas Legislature established the Texas Historic Courthouse Preservation Program (THCPP), which the governor signed into law in 1999. The program was funded with an initial appropriation of \$50 million in 1999, \$50 million in 2001, and \$45 million in 2003. In 2005, the legislature earmarked \$80 million from the federal transportation enhancement program; however, these funds were not approved for program use by the Federal Highway Administration. During the 80<sup>th</sup> Texas legislative session, \$62 million was appropriated. The program's funding for the last biennium (2010-2011) and this biennium (2012-2013) is \$20 million. In difficult economic times, this funding reflects a commitment to supporting the program with state dollars and demonstrates the continued success of the program over twelve years.

The THCPP provides for a unique funding partnership between the state and counties that will result in the preservation and continued utilization of these landmark structures. The Texas Historical Commission (THC), which has administered courthouse preservation programs since the 1970s through grants, historical designations and mandated architectural reviews, administers the program. The following procedures apply to the completion of the Texas Historic Courthouse Preservation Program official application, Round VII, as administered by the THC.

## INTRODUCTION

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Please keep the following points in mind when applying for the Texas Historic Courthouse Preservation Program Round VII grant cycle:

- **Intent:** The Texas Historical Commission (THC) will award the majority of the current 2012-13 appropriation in Round VII for planning and construction projects, with a portion reserved for emergency needs and program contingencies.
- **Eligibility:** All historic county courthouses currently owned by the county that serve or have served as the county courthouse and that have approved master plans are eligible to apply for Round VII, except for counties that have received awards to execute their full scope of work.
- **Project execution:** All successful applicants must be prepared to begin grant-funded work within six (6) months and should finish within thirty-six (36) months of grant award unless otherwise approved by the THC.
- **Round V or VI application roll-forward:** Participants in the Round V grant cycle were required to submit new Round V grant applications with updated project costs. Previous applicants that submitted a Round V or VI application are not required to submit a new application.
- **Round V or VI application revisions:** Participants in the Round VII grant cycle are encouraged but not required to revise or amend their Round V or VI application. New information for any section such as project scope, philosophy or budget may be submitted and will replace the previous section.
- **Round VII application submittal:** All applicants that did not complete a new application for Round V or VI must submit a new Round VII Grant Application form and should carefully read the “Texas Historic Courthouse Preservation Program Round VII Application Procedures.” New Round VII applications and/or revisions to previous applications must be received **no later than 5 p.m. on Dec. 1, 2011**. One original signed, unbound copy of the application materials should be submitted.

**Address for Postal Service mail:**

Texas Historical Commission  
THCPP Grant Application  
P.O. Box 12276  
Austin, TX 78711-2276

**Physical address for Overnight Delivery:**

Texas Historical Commission  
THCPP Grant Application  
108 West 16<sup>th</sup> Street, upstairs  
Austin, TX 78701  
512/463-6094

Please note that regular and overnight Postal Service mail is routed to the Capitol Complex and may take an additional 5 days to reach us after it is received. We recommend mailing these materials well in advance of the deadline or use an overnight courier to our physical address.

## **GRANT APPLICATION**

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### **Section I. General Information**

This section calls for basic location, ownership and construction information on the historic courthouse.

**Property Name:** If the structure is currently used as a courthouse, identify it using the county name (e.g. Winton County Courthouse). If it now serves another function, provide the historic name and the current name, if they are different (e.g. 1914 Winton County Courthouse/Winton Public Library).

**County Judge:** The current county judge will receive copies of all program materials and correspondence. Should a change occur in the office during the course of the project, counties should notify the THC as soon as possible.

**Address, City, Zip Code, County, Telephone and Email:** Current mailing address where program information can be sent and applicant contacted.

**Completion Date:** For the purpose of this program, the age of the courthouse is determined by the date of the first official commissioners court meeting in the building and not by the cornerstone inscription or date of dedication. Court minutes should serve as the official record.

**Date(s) of Major Modifications:** Modifications that must be noted in this section include such projects as additions, removal or replacement of key architectural elements, reconfiguration of interior public spaces and major landscaping changes. Court minutes, newspaper articles, dated photographs and other documents should serve as official records.

**Current Function as a Courthouse:** Does the commissioners court still hold its regularly scheduled meetings in the building? Does a judge hold court here? Is the building designated as the official county courthouse? If not, what other county government functions does it serve?

### **Section II. Contact Information**

Please provide information on the individual who will serve as the principal contact and decision-maker for information related to the grant program if this individual is not the county judge.

### **Section III. Historical Designation** (provide attachments as necessary)

This section documents the extent to which the building has been recognized as a historic property.

**National Register of Historic Places:** This federal designation is administered by the THC in coordination with the National Park Service. Properties may be individually listed on the National Register and/or listed as a contributing resource in a National Register historic district. Determinations of eligibility for National Register listing can be conducted by the THC in connection with federally funded projects.

**Recorded Texas Historic Landmarks:** These are Texas properties judged to be historically and architecturally significant. The properties must be at least 50 years old and are identified by an Official Texas Historical Marker.

**State Archeological Landmarks:** Generally publicly-owned, buildings or sites are designated by the THC and receive legal protection under the Antiquities Code of Texas. Listing in the National Register is a prerequisite for State Archeological Landmark designation of a building.

**Local designation:** If the structure has received a municipal designation from a city of 1.5 million or more in population, a letter of certification from the city should be attached.

**Eligible for historic designation:** A property may be determined eligible for historic designation by the THC and/or certified as a “historic courthouse” by the THC to other state agencies as worthy of preservation. Attach an eligibility determination or certification letter.

If you have any questions about historical designations, contact the THC’s History Programs Division at 512/463-5853.

#### **Section IV. Architectural Significance**

Briefly describe the structure’s architectural significance. Is it one of the best examples of a particular style or a particular architect’s work? Is it one of the last remaining examples? What are the design elements that make it unique? Is it similar in overall design to other existing courthouses in the state from the same period of construction?

#### **Section V. Historical Significance**

Briefly describe why the courthouse is important historically. Since all courthouses are considered significant as centers of government and early town planning, your description should focus more on events and individuals associated with this particular structure — i.e., noteworthy jurists, trials, sheriffs, community gatherings and events. The significance of these associations on a local, state or national level should also be discussed.

#### **Section VI. Endangerment**

Describe why the building would be considered in immediate danger or threatens the life and safety of its occupants. Attach reports, photos and supporting documentation that detail a specific threat, such as: extensive electrical code violations, building code inspector’s condemnation notices, evidence of pending litigation for ADA non-compliance, structural engineer’s assessments or demolition proposals.

**Optional Emergency Funding Request:** If a case for extreme endangerment is made and the county is willing to accept the terms of a grant to address it, provide a description of the work and a cost estimate for remedying the outstanding problem(s) in the space provided. Supporting documentation as described above and photos must be provided if an emergency award is requested. Note that emergency awards may require a higher county cash match in the amount of at least 1/3 of the emergency project cost.

#### **Section VII. Original Integrity**

Since courthouses typically are altered over the years, please document the architectural integrity of the building. Describe the elements of the original design and materials that remain intact and visible. Conversely, describe which features were removed. Which features remain but were covered over by later construction? What aspects of the condition of the original building remain unknown?

## Section VIII. Summary of Project

This section provides information on the work to be accomplished with the requested grant funds. It also describes work required to complete the restoration in accordance with the master plan and any other work to be accomplished by the county with local funds.

**A. Project Description:** Provide a description of the proposed project. Highlight the major tasks that will and will not be accomplished. Which county offices will be housed in the building upon completion?

**B. Treatment Approach:** Identify the principal philosophical approach or “treatment” for the proposed preservation project using the Secretary of the Interior’s *Standards for the Treatment of Historic Properties*. Identify the treatment that the project principally represents and identify elements of the project that meet the other treatment definitions, e.g., “the basement area will be rehabilitated,” or “the clock tower assembly will be reconstructed to match the missing historic construction.”

The four distinct, but inter-related approaches are: preservation, rehabilitation, restoration and reconstruction. **Preservation** focuses on the maintenance and repair of existing materials, both historic and non-historic. **Rehabilitation** acknowledges the need to modify the property to meet current needs while retaining the building’s historic character. **Restoration** is undertaken to depict the building and significant historic site features at a particular time in its history, while removing incongruous evidence of other periods. **Reconstruction** recreates vanished or non-surviving portions of a property for the purpose of presenting its earlier appearance.

**C. Project Proposal:** Describe how the proposed work will address inappropriate changes — additions, replacement of key elements, reconfiguration of space, and other changes — that were made over the years? Will the inappropriate changes be reversed? Will all aspects of a plan to fully restore the building be undertaken?

**D. County Records Plan:** The County should have a specific, itemized plan for properly housing and protecting county records before, during and after the restoration work, whether or not they are affected by the construction activities. Note that this is more than a records retention schedule. Attach a copy of the archival records plan to the application. See the outline provided on the THC web site under “Frequently Asked Questions: What is an archival records plan?” at [www.thc.state.tx.us/courthouses/faqs/faqch.shtml](http://www.thc.state.tx.us/courthouses/faqs/faqch.shtml).

**E. Conformance with Preservation Master Plan:** The approved master plan contained an approach to the project that was accepted by the THC. Have these plans changed in any way? If the project was proposed in the master plan as phased, which phases are included in the current proposal? If the master plan proposed alternates and/or phases, please explain the rationale for the scope selected for this application. Since the master plan was developed, have conditions in the building changed to affect the scope or cost of the work?

**F. Project Results:** Will all significant interior public spaces and the exterior be accurately restored to the courthouse’s original or greatest period of architectural significance? Will all significant missing elements be reconstructed and all significant finishes and features of this particular period be restored? Yes/No Explain. Are there aspects of the complete project described in the master plan that will not be undertaken? What additional work will be undertaken and when? Greater emphasis will be given in application scoring to projects that result in a complete restoration.

## **Section IX. Project Funding Request**

The Texas Historic Courthouse Preservation Program (THCPP) provides funding for approximately 85 percent of requested project costs in state dollars when properly matched by county contributions totaling at least 15 percent of the total project cost. A higher county match, probably 1/3 percent, may be required for emergency awards.

Note that the “total project cost” used to figure the match requirements and the grant request includes direct construction costs, overhead and profit, professional services, and a contingency amount. However, it shall not include ineligible project costs as detailed on the budget instructions.

**A. County Match Requirements:** The County’s share can either be in cash or as cash and credits figured in two parts, noted on the application as “Section A” match and “Section B” match. The minimum county match, or the sum of Section A and Section B, is 15 percent of the total project cost.

**Section A - Prior capital expenditure credit match:** The Section A match may include credit for prior capital construction on the historic courthouse for that work which was submitted, reviewed and approved by the THC and incurred during any 30-month period between April 16, 2005 and December 1, 2011. Note that expenditures associated with a previously selected THCPP grant project may not be considered as a prior capital expense.

The total of Section A or credit earned cannot exceed 7.5 percent of the total project cost.

**Section B - Cash and architectural services match:** The Section B match may include cash and/or expenses incurred in preparing the required master plan. Also, expenses to produce architectural plans and specifications for construction work in conformance with the approved master plan may be included in this section if paid by the county without THCPP grant assistance. Final submittals for master plans and/or architectural plans and specifications are due to the THC for approval by November 14, 2011.

The total of Section B must be at least 7.5 percent of the total project cost; any Section B match (cash or planning costs) in excess of 7.5 percent of the project costs will be considered cash overmatch.

The total Section A and B match must be at least 15 percent of the total project cost. The “Actual county match” may be greater than 15 percent of the total project cost.

**B. Grant Funds Requested:** To allow more projects to be assisted with state funding, we encourage counties to provide cash overmatch and minimize the funds requested of the state. Evaluation of the application and consequently, award decisions by THC, will take into account the funds requested by each applicant and the total programs funds available. Grantees may be required to provide a higher contribution to qualify for the funds.

The grant request may not exceed a cumulative total of \$6 million per applicant.

**Section X. Photographic Documentation** (include compact disks as an attachment to application)

At least 10 high quality digital images representing the building are required with the application. The images should be labeled with county name and view, of good quality, and provide current overviews of the structure within its setting. Views of key interior and exterior architectural elements, each elevation, and major public spaces must be provided.

**Section XI. Architectural Plans and Specifications**

Once the county has received approval of its master plan, it may proceed on its own or with grant assistance to prepare detailed plans and specifications for the proposed scope of work. Counties that demonstrate their financial commitment to the project by completing and receiving THC approval of their construction plans before the grant application deadline will be given extra credit in the evaluation process. Counties should keep in mind, however, that the development of plans and specifications is not a guarantee of grant award.

Based on overall score or ranking in previous rounds, counties have been offered grant funds to develop 95% complete architectural plans and specifications. Please indicate if the county would be willing to accept and match this type of an award.

**Section XII. Preservation Covenant and/or Deed Restrictions** (include attachments as necessary)

Preservation easements ensure the long-term protection of the county's and state's investment, and therefore is strongly encouraged. If the county has a deed restriction currently in effect on the courthouse that was granted in conjunction with an earlier THC program prior to the Texas Historic Courthouse Preservation Program grant program in 1999, please attach copies to the application. If the county would be willing to grant a preservation easement to the THC as a result of this application being funded, please indicate on the form. Points will be given to counties that demonstrate their willingness to protect the financial investment over an extended period of time.

**Section XIII. Evidence of Local Support** (include no more than 10 attachments)

This section provides the opportunity for counties to demonstrate local support for their courthouse preservation project. Letters should show a wide range of support and participation from civic groups, communities, political leaders, local preservationists and other interested parties. Evidence of a county's commitment to the program should also include details of local preservation programs and incentives, as well as a plan that shows how the courthouse restoration will impact surrounding historic resources.

**Section XIV. Compliance with State Courthouse Laws** (include attachments)

Please indicate the county's record of compliance with relevant state laws regarding courthouse preservation (Section 442.008 of the Texas Government Code; Texas Antiquities Code; and/or existing deed restrictions). Discuss work conducted in cooperation with, or under the review authority of, the THC since 1980. Include copies of letters from the county notifying the THC of proposed work, along with the THC responses. Points will be given to counties that have clearly demonstrated past commitment to existing preservation laws.

**Section XV. Estimated Project Budget** (include completed “Round VII Estimated Project Budget” form and other necessary attachments)

Estimated project budgets are required components of the grant application, and the THC reserves the right to negotiate any budget changes that might be necessary. Every effort should be made to make the budget as accurate as possible, since program funds are limited and grants generally will not be adjusted after awards are made. Further, grant recipients will be held responsible for all costs incurred above the estimated amount and will be required to accomplish the full scope of the work described in the application.

Use the budget form to document estimated or probable costs for the entire project. Please note that construction costs have escalated since the previous application rounds, and a previously prepared estimate will likely be inadequate to cover project costs for construction work that will be initiated in 2012. Applicants must attach a detailed estimate with quantity take-offs and unit costs prepared by their project professional as additional information.

Certain project costs, although they may be necessary to accomplish the county’s broader goals (such as upgrades in computer equipment) cannot be funded through the program at this time. See the budget instructions for detailing of eligible and ineligible project costs. Note that ineligible projects costs are not figured into the total allowable project cost figures and are not considered in either scoring or funding decisions.

**Section XVI. Anticipated Additional Work**

If the project proposed in the application will not result in a fully restored courthouse, describe future work that would be needed, and whether it might be a part of a future courthouse grant application. All elements of restorative work identified in the master plan must be included in the funding request for it to be considered a full restoration.

**Section XVII. Resolution of Support** (include attachment)

A copy of the commissioners court resolution in support of the Texas Historic Courthouse Preservation Program grant application and all commitments made therein is required.

**Section XVIII. Signature of Legal Representative**

The legal representative can be the county judge, a commissioner or any other county official duly authorized by the commissioners court for the purposes of this application.