

# COURTHOUSES IN DANGER



# UNSTABLE FOUNDATIONS

Structural Problems Cause Safety Concerns at Historic Courthouses

By Liz Carmack

◀ **Exterior work was undertaken this summer to reinforce the foundation of the Dickens County Courthouse.** (Photo courtesy Texas Historical Commission.)

Structural problems at some of Texas' historic county courthouses have caused counties to shut down entire floors, close entrances and even evacuate entire buildings, their cracked walls and shuttered windows encircled by chain link fences.

"Most historic courthouses were well built and well designed," Sharon Fleming, an architect and director of the Texas Historical Commission's (THC) Architecture Division and the Texas Historic Courthouse Preservation Program (THCPP). "But historic buildings often develop structural problems over time of varying severity."

The type of soils present, drought conditions or flooding, the materials used in the building's foundation, water infiltration in walls and foundations and other conditions can all affect a structure, Fleming said, adding that soil movement can cause cracks and damage mortar, which allows in moisture and can further complicate problems.

Of the 18 recipients chosen this year by the THCPP to each receive a \$450,000 emergency grant, six counties will use the monies to address structural issues at their courthouses. Here's a look at four of those: Wilson, Dickens, Karnes and Hunt counties.

**Wilson County Courthouse**

After engineers in 2012 determined the foundation of the Wilson County Courthouse was unstable, they recommended the county evacuate the 1884 two-story brick building. "We moved out because of the hazard," said County Judge Marvin Quinney. "It was just a scary situation."

The culprit? Soft brick in the building's original foundation combined with the recent drought, inadequate site drainage and poor foundation design led to "excessive movement in the building resulting in significant cracking to the building envelope," according to the county's grant application.

Lauded Texas architect Alfred Giles, the architect of the Texas Governor's mansion, designed the Second Empire and Italianate style courthouse, but large cracks now mar the building's plaster exterior walls. County offices moved from the courthouse now operate at a nearby annex and a former elementary school a few blocks away. A chain link fence surrounds the vacant building.

Quinney recalled how some suggested the county just bulldoze the old building, which is topped by a bell tower, and construct a new one.

"I thought they might have a point, until I learned it would cost approximately \$15 million to rebuild another structure like it but that we could repair it for about \$2 million," he said.

With the help of the emergency grant, repairs are underway and the county is on track to move back in next spring, Quinney said. The extensive repairs include underpinning the existing masonry walls with a new reinforced concrete footing using a complex procedure that shores up the superstructure while the brick foundation is removed and replaced. The county paid \$1.024 million of the \$1.474 million project.

**Dickens County Courthouse**

Dickens County routinely held district court, probate hearings and other meetings in County Judge Lesa Arnold's office when someone participating couldn't climb the steps to the county courthouse's second-floor courtroom. The 1893 Romanesque Revival style building has no elevator, so in 2010, the county asked a structural engineer if one could be installed.

"That's when the bomb got dropped," Arnold said. "Not only would the building not sustain an elevator, they suggested we relieve all the weight from the second floor. We had to remove everything from the second story as fast as we could and build something to hold our district court and county court."

The county quickly established a jury room, judge's chamber, client-attorney meeting room and courtroom in the cramped quarters of a rapidly constructed metal building. The county treasurer moved into small cinder block building nearby. The county also began construction on a 7,000-square-foot annex and hired an



**Wilson County Auditor Tom Dupnick (left) and County Judge Marvin Quinney outside the now empty 1884 Wilson County Courthouse in Floresville. County officials and staff hope to move back in next spring after completing repairs, which were funded in part by a Texas Historical Commission Texas Historic Courthouse Preservation Program emergency grant.** (Photo by Liz Carmack.)



**Dickens County Judge Lesa Arnold outside the 1893 Dickens County Courthouse. The county had to evacuate the building's second floor due to safety concerns.** (Photo courtesy Judge Arnold.)

shoring on the support beams of the first floor.” The commissioner, who has decades of experience in the construction industry, has helped coordinate the work on the courthouse since he came into office in 2011.

The county also contracted to repair the historic building's western exterior wall, re-point the brick, restore stone courses and arches, replace metal windows with wooden windows and replace about one third of the red tile roof with slate, which was the original roofing material. Much more work must be done before county offices can be allowed back in.

The building remains cordoned off with fencing, its main entrances blocked and its windows boarded up. Jauer noted where a false ceiling once hung in the courtroom on the first floor. The cavernous room now sits empty, dusty and in a sad state of repair.

The population growth and the additional tax revenue in Karnes County brought by the oil and gas boom in the Eagle Ford Shale has presented the county with several financial challenges, Jauer said. This has made it difficult for the county to find the funds to conduct further work on its courthouse. The county was able to kick in a \$600,000 match to the \$450,000 HTCPP emergency grant this year. The monies will pay to replace the rest of the courthouse's tile roof with slate.

“We have very high costs for maintaining roads, a much increased law enforcement budget and increased EMS services,” Jauer said. “County salaries have had to be increased to compete with the salaries in the oil field. Even though we've had increased income, we have comparable increased expenses. We're struggling just to learn how to deal with the problems that have been created.”

architect to develop the plans and specifications for a full courthouse restoration in hopes that construction funding would be available in the future.

The county added \$553,372 of its own monies to the emergency grant it received this year to stabilize the courthouse and make other repairs so it can move back into the second floor. The project includes other work, such as adding an elevator and making the building's entrance and toilet facilities accessible.

The emergency grant doesn't cover other pressing needs at the courthouse, Arnold said, such as upgrading old, overloaded wiring (which has caused a junction box to smolder), adding insulation and replacing deteriorating windows.

### **Karnes County Courthouse**

Structural problems have also plagued the 1894 Karnes County Courthouse for years. In 2011, tan bricks toppled out of a first floor arch, a week before an already planned evacuation from the Romanesque Revival-style building by county officials and staff. With recent assistance in the form of three HTCPP grants totaling \$1.5 million, including this year's emergency grant of \$450,000, the county has taken several steps to stabilize the building.

It first removed two 1920s additions on its western side that were thought to be contributing to the problem. Soft brick used in the building's foundation was also to blame. “When they excavated the basement, they saw that half the footing was not sitting on ground anymore,” Fleming said.

“Phase 1A of our restoration was foundation stabilization, creating a mechanical equipment room and a basement,” County Commissioner A.T. “Pete” Jauer said. “In the process, we found we needed extra



**Karnes County Commissioner A.T. “Pete” Jauer outside the vacated 1894 Karnes County Courthouse. While some work on the building has been completed, much more is needed.**

(Photos by Liz Carmack.)

## Hunt County Courthouse

The structural problems at the 1929 Hunt County Courthouse threaten to cause “catastrophic failure” of the Moderne-style building’s two monumental exterior staircases at its north and south entrances, according to its application for Round VIII emergency funding from the THCPP. The county closed the ground level and first floor doors of its south entrance more than a year and a half ago. Its north entrance is still open, but suffers similar problems, Judge John Horn said.

“We’ve had scaffolding underneath the south entrance just to support the stairway structure itself,” he said. “We’ve had to keep that area isolated. When that’s your primary access point (to the courthouse), it creates real problems for movement. We’re not far from having the same issues on the north side.”

Settling foundations and the related cracking has allowed moisture to infiltrate and corrode the steel supporting the concrete stairs. “Water infiltration and intrusion into the sub elements of the structure created so much deterioration that it became a dangerous situation for us,” Horn said.

The busy courthouse hosts two district courts and two county courts at law. It is also home to the offices of the district and county clerks, county judge and commissioner offices, the county treasurer, county auditor and others.

Hunt County will match the THCPP emergency grant it received with \$703,115 and use the monies to address the building’s structural failures. It will also fully restore the north and south staircases and their entrances and exits on either side at the ground and first floors. Underpinning of the stairs and adjacent courthouse walls will also be undertaken to prevent additional movement of the building and water seepage. Horn said work should get underway this fall and he hopes it will wrap up within 180 days.

“We are certainly appreciative of the Texas Historical Commission’s consideration of this project,” Horn said. “It would have been a real challenge for us. We’re trying to recover from an economic downturn. We would have had to divert significant funding from other necessary operations to affect these changes.”



**Hunt County Judge John Horn outside one of the closed entrances of the Hunt County Courthouse. Cracks in the staircase hint at their structural problems.** (Photo courtesy Judge Horn.)



**Supports brace an exterior staircase at the 1929 Hunt County Courthouse.** (Photo courtesy Judge Horn.)

## THC Seeks More Funding for Courthouse Program

During the 83rd legislative session in 2013, state lawmakers cut the THCPP budget to about \$4.2 million. In the past, funding to help restore county courthouses had been as high as \$62 million and, more recently, \$20 million per biennium.

The Texas Historical Commission recently submitted its budget request for 2016-2017, which lawmakers will consider when they convene in January. “Our commissioners voted on the legislative appropriation request at their July meeting. It will be \$40 million and it’s the agency’s top exceptional item request,” Fleming said. That amount should be enough to fund approximately 10 matching grants to help pay for full courthouse restorations, three matching grants to help fund development of construction plans, and one to two matching emergency grants to help address critical needs.

Several counties that received Round VIII emergency grant funding this year will be closely watching what happens to the THC’s budget request.

Dickens County had planned to apply for a full restoration grant in 2013, but after the Legislature reduced the grant program’s funding, it sought the emergency grant to fix its most pressing issue from a long list of problems. Arnold said the county hopes the THCPP will be fully funded in the future. “These buildings have to weather a lot of storms,” Dickens said. “Not all are atmospheric.”

Horn said Hunt County will be watching the session closely to see what happens with the THC’s funding request, adding that he understood how legislators had to make tough decisions to trim some programs during the last session. Hunt County spent its own funds to commission a master plan for a full restoration, which will address a long list of to-dos at the courthouse.

In addition to structural problems, many of the state’s historic courthouses are at risk from fire hazards, such as aging and overloaded electrical systems; suffer from deteriorating and poorly fitting windows; and experience water infiltration that can damage records and

compromise the structural integrity of the buildings.

“I’m probably more of an advocate for the historical commission now than anybody,” Horn said. “I would encourage the Legislature to take a hard look at increasing funding to offer opportunities in rural parts of Texas that are financially challenged to enhance the lifespan and utility of courthouses, We’d like to encourage the Legislature to go back and look at implementing additional funding to the program.” ★