

MINUTES

Aransas County Commissioners Court Special Meeting



1:30 PM – Thursday, April 4, 2024

The Aransas County Commissioners Court met on Thursday, April 4, 2024, 1:30 PM, in the Aransas County Courthouse, 2840 Hwy 35 N, Rockport, Texas. Aransas County Commissioner’s Court meeting video recordings are available by following this link: [Commissioners Court Minutes and Agendas \(aransascountytx.gov\)](https://aransascountytx.gov), then scroll to the bottom of the page and select the date you wish to view.

Present: **Ray A. Garza**, County Judge
Jack Chaney, Commissioner Precinct 1-1A
Leslie Casterline, Commissioner, Precinct 2
Pat Rousseau, Commissioner, Precinct 3
Robert Dupnik, Commissioner, Precinct 4-4A

I. CALL TO ORDER

II. ROLL CALL

III. DECLARE QUORUM

IV. CITIZENS TO BE HEARD

V. ITEMS FOR DELIBERATION AND/OR ACTION.

1. Discuss, approve, or disapprove authorizing the County Elections Administrator to apply for a Federal Grant with the U.S. Department of Defense Federal Voting Assistance Program (FVAP) – Kevin Stroud/Judge Garza

- **Citizen to be heard for item # 1** Katy Jackson –. I am strongly against item # 1 for several reasons. First, in the last year in the State of Texas we’ve had 1.2 million new registered voters, none of them showing required identification as it is not required. Also on the 2022 Republican Party of Texas platform, Plank 242 to prohibit internet voting for public office and any ballot measure, and E that a mail in ballot must be requested and only granted to those that cannot physically appear in person. As we all know over the couple of years there’s been a lot of issues across the nation with voting. Texas sets itself up by not requiring identification. Two, Texas does not allow electronic voting over the internet. Three, I’ve been on the website for Democracy Live, and I’ve seen nothing on how we verify who that person is, what the electronic requirements are. What is the operating system, does it need special software, how do they get it, how do we make sure it’s properly installed, etc. Looking at this as an outsider who has not heard the entire thing, it is not secure in my opinion. There’s no guarantees. The typical person that’s going to vote absentee is elderly, they’re not going to have an up-to-date computer typically. They may have to buy a new computer with a new software and now it’s almost a Poll Tax. I don’t see how this is fair to everyone. I understand for disabled, especially for the blind and hearing impaired, how this makes it easier for them to vote. But, when it comes to absentee balloting, where’s the proof of who they are? I can put in any email I want to, I have five right now. These are questions that need to be answered before we even think about getting this program for the county.
- **Motion to disapprove:** by Commissioner Chaney, motion was seconded by Commissioner Rousseau
- Commissioner Rousseau – I heard from a few constituents who have concerns about this. I have a concern because of the tight time frame that we’re discussing and then the deadline is coming up. I went online and looked up the Democracy Line that was created after the situation in Florida. The gentleman who created it, other than the fact that he lives in Washington State, he’s very active in the Seattle area. It appears that the programs he offers are pretty much 100%

funded by the Federal Government. I think there are too many questions. We do a lot to make voting available to our registered voters. I know that the election workers can offer curbside service if required. People who need to use absentee balloting know essentially how to do it and have been doing it for years. I know things change but, I feel we do not need any more software programming to mix with what the results are. A lot of states were using the Dominion Software and it was found out that the owner was in China. I don't think this is a good thing.

- Commissioner Dupnik – I did some research on the internet and one of the things was a MIT study that said that there is really no security in the system, once the vote is cast. I had some questions and asked Kevin. I really wish we would let Kevin speak to that because Texas does require a paper ballot. Can he speak to that?
- Judge Garza – Absolutely.
- Kevin Stroud, Aransas County Elections Administrator – So this system would only be used for what we are already required to do by law. We are required by law to provide a ballot electronically if a voter requests it, using a federal postcard application. It's only going to be used for military and overseas voters. That is it. We are already required to provide those balloting materials electronically. This system will just make it easier on those voters to get the ballot, complete it, and return it. The state law does require that those ballots be printed and mailed in. At no point would any sort of electronic ballot be counted or cast using that system. That option would not be available to our voters because it is not allowed by state law. There are states that allow voters to vote electronically and to submit their votes electronically. That is not allowed in Texas and that will not be allowed or available to our voters. This system would only be electronic ballot marking device. Just like we have in our polling places.
- Commissioner Dupnik – It will let them print out a ballot? And they mark the ballot and mail it in?
- Kevin Stroud – They would make the selections electronically on the computer, but then they would print out the ballot with their selections and mail that in.
- Commissioner Chaney – Which would be counted?
- Kevin Stroud – The paper ballot. There is no electronic record that would ever get counted.
- Commissioner Chaney – So if there is something that would prevent them from being able to vote, such as a felony or any number of things that disqualifies you, illegal voter, or unregistered voter. What if they get that accidentally or apply for it, what checks and balances are we going to have that prevent that.
- Kevin Stroud – These types of voters are required to submit an application. They are required to submit a federal postcard application. That serves as a voter registration application and a request for that ballot by mail.
- Commissioner Chaney – Do they send it back to you? Do you look it over? Does it go to a Federal Registry?
- Kevin Stroud – They sent the applications to me, I am the Aransas County Early Voting Clerk. I review them and make sure they are complete and meet all the requirements. They are required to provide their Social Security Number and/or their Texas Driver's License Number. Just like they do for a voter registration application. Those do get keyed into our voter registration system and checked against DPS records and/or Social Security Records. Just like any other voter in the State of Texas. This program is not doing anything that is not already required by law. It's not providing anything extra.
- Commissioner Chaney – The concern I have is I don't understand how you have time to check them.
- Kevin Stroud – Regardless if we have the software or not, this is still going on. On a daily basis.

- Commissioner Chaney – What’s the down side of not getting this?
- Kevin Stroud – Currently we send out an email to these voters with attachments, the ballot and instructions. Emails are not exactly, in my opinion a secure means of transmitting ballots and that is exactly what the Department of Defense feels. That’s why they are providing the grant funding. Because, they don’t want to use traditional email. There is also a risk that emails with attachments can get caught in spam filters, and so voters never actually receive their ballots. With this system. All we would be doing is emailing a link to a website to the voter, who we have a request on file for an electronic ballot. They would log in, and retrieve their ballot that way. This system would be only for the voters that have a request on file. It will not be open to every single person.
- Commissioner Dupnik – The email is obtained through their application?
- Kevin Stroud – Yes. The email that is submitted on their application is where we send the link to.
- Commissioner Dupnik – You currently receive that type of application now for someone doing absentee?
- Kevin Stroud – We do. We are required to do send these ballots electronically to the absentee voters by both Federal and State Law. This is going to happen regardless of whether this grant gets approved or not. This just changing the means of making it more accessible for our voters and making it easier on my office.
- Judge Garza – Is there a deadline for this grant?
- Kevin Stroud – I was able to get an extension for the end of April.
- Judge Garza – Can we discuss this further at a later meeting?
- Commissioner Casterline – How many ballots do you currently send out annually?
- Kevin Stroud – It varies from year to year. The number of these types of ballots gets higher for Federal Elections. Right now we have about 20 applications, I expect upwards of 50 to 75 by November. Attaching documents to 75 emails takes a long time. Not everyone who applies for this requests it by email. Some request it be mailed, but at least 75% of these voters request it by email. They are overseas and it takes a lot longer to get that ballot back to us.
- **Vote:** Motion to disapprove: carried 4-1: Commissioner Dupnik – no, it was so ordered

2. Update the Commissioners on the progress of the new Courthouse – Judge Garza

- Amanda Oster- I will be discussing today the fire suppression systems in the clerk’s offices. We have talked about this for years now since the courthouse plans were even starting to be made. Under the administrative code the requirements of the elected official in those offices have been made clear for years. Both to the architects and to the people who we have employed to build the courthouse. If everyone in this room is going to disregard the elected officials in this county and their lay opinions. Then we should disregard the lay opinions of the architects and builders. Let’s talk about the administrative code. Apparently it’s not clear to anyone that’s making the decisions or buildings the courthouse or making the plans. The Texas Administrative Code Chapter 13 Section 7.163 which set the standards for the courthouse and its permanent records. I am not talking about the city buildings or any other buildings. I am talking about the courthouse which we are building. It requires that the records be protected from fire, water, steam, structural collapse, unauthorized access of theft, and similar hazards. (a)The records will not be exposed to direct sunlight. (b) Not be placed on the floor. (c) Be protected by an operational fire detection system or facility must be in compliance with the local fire codes. Being within compliance with local fire code is not sufficient. You are skipping over the first section protected from fire, water, steam. We are all smart people in this room let’s use our brains. Logically how would having a fire suppression system of water sprinklers protect the paper

from water and steam? We have all been aware for years that a waterless fire suppression system is what is needed in these two rooms of the courthouse. This should have been factored into the original plans and cost of the courthouse. There is no question about that. This administrative code was provided before the plans were even drawn. Before the building began being built. Now I'm hearing what should be done to fix this situation which is that the county should buy waterproof cabinets to put the files in. I ask who is going to pay for these cabinets. How big are the cabinets? Will they fit in the space alongside the other filing systems that already need to be there? Will the floor support the extra weight of those cabinets? We already know that those floors on the second floor were not reinforced properly to hold what already needs to be there. Why should we be ordering fireproof cabinets and waterproof cabinets to fix an issue that should not have been issue in the first place?

- Mark Williams- We had a non-compliance meeting yesterday with the contractor. We were there along with the county. We went over several outstanding issues that didn't comply with the contract documents in several field reports namely from architectural firm. In that discussion we decided two things that are important. One that we do bilateral change orders rather than change directives. The contractor wants a change directive to do the work so he can wait to issue time and money at a later date. As you said Judge Garza this is considered a blank check which we do not agree with. We would like to see change orders take place that way we know up front how much money and how much time is associated with any modifications to the plans and specs.
- Commissioner Rousseau- Bilateral change orders by that you mean what?
- Mark Williams- Both voted on and signed by the county and the contractor. The second thing we spoke about was several issues that were in that report. One of the more notable issues is the distance from the soffit line down to the epis system and the variance. We asked the contractor to supply the architectural firm with a distance from the soffit down to the epis. They can't do that right now because they are pouring concrete on the north side of the building. We have a lot of that information in that document at this time, but we don't have anything on the north side. We are missing stuff on the west side. That is going to be important to obtain that information. I want to be with the contractor in the bucket truck making sure I review what dimensions are taken and we get an honest description of what is there.
- Judge Garza- They are going to provide a mockup of what it potentially could look like.
- Mark Williams- The ball is in the contractor's court he is going to review the documents which has been passed out. It's the non-conformance with the contract documents letter and it includes all the list of items that are in noncompliance with the contract documents. The contractor is going to answer that and then come back to us. I am not sure if we have determined an ETA on that. If any of this work is rejected by the contractor pushes his timeline further down the road but we don't pay general conditions for that time because it's of his own accord to correct non-compliant.
- Judge Garza- They expressed yesterday that want to hurry up and get this done and quit wasting time. If that is their position they would come answer that in a timely matter.
- Mark Williams- We would like to process a change order to do the attic installation which I think we tabled last time. I want to check with Tracy and make sure we have all the proper documents in place and review that again on my end.
- Amanda Oster- When you find that out can you find out why it cost twice as much more now than it did before.
- Commissioner Chaney- Is there a clause if the building architects or builders did not build it according to requirements of state law for example the issue with the clerk's offices. I think that the records need to be protected accordance with state law. The question is are they being that or

not. I don't think they are. I don't think the courthouse is ready until the issues is resolved. That is a major issue in cost and in the ability to function as government and a keeper of the records. I think what the county attorney has said and read straight out of the law was missed. No one has address the fact that state laws doesn't say that you have to protect the records. From what Amanda just read out it's pretty simple to understand how you no want to protect them.

- Paul Bonnett- I don't disagree it was brought up from the initial programming meetings we had with the district clerk. We do a lot of courthouse we do a lot of record storage spaces. We've have done several of them since 2013 when the item in the legislation was enacted. We do not protect and haven't protected all of those facilities with a dry chemical fire protection system. There are other options. In some cases we don't put any sprinklers in those rooms at all. Earlier on in the project about a year ago we looked in to this, and looked at removing any sprinklers from the rooms where the records are stored not necessarily the office areas. But the rooms where the records were stored.
- Misty Kimbrough- The county clerk's office the entire office has historical records. It's not a room nor a vault. If you are talking about a vault my room doesn't have a vault.
- Paul Bonnett- We do not have it in the documents. These systems are typically quite expensive. I did the Harris County archive space which is huge. It would be cost prohibitive for them to do a dry chemical fire protection system. That is why counties generally don't do a dry chemical fire protection system. Our interpretation of protecting the records from water would be flooding. Having them be in a harden building that's designed to withstand hurricane force winds that will protect the records. We do have to protect the records from fire.
- Amanda Oster- What is your interpretation of the word steam?
- Paul Bonnett- Steam is having it in a conditioned space that is not going to be hot and humid.
- Amanda Oster- What do think happens when the whole building is on fire and you're pouring water into the room?
- Commissioner Chaney- What if it's on the second floor and gets down to the bottom office and in the current room?
- Mike Donoho- We have a certified fire inspection for the State of Texas that the city has entered into agreement with a company to provide a state certified fire inspector fire marshal. He has visited these buildings. There are alternatives you don't want to put a dry chemical in there either. They have what's called clean agents which are dispersed into the room that will suppress the fire and it doesn't displace the oxygen. It will protect the records. Those areas inside the room are sealed from the rest of the building. I would like the fire marshal to introduce himself and talk about what he's looked at about the system in the courthouse. I want him to explain what is there and what is not there.
- Joe Murray- I'm with safe built. We recently just became a contracted fire marshal for the City of Rockport. I recently have received all of the documents. The documents be it fire protection systems building plans were all done by the previous company. I have only had a day or two to even look into this related to what you are doing. Moving forward we do not design systems we review systems. Under my state license that's what I have the ability to do. Your hired designed professional if they're wanting to make a changes they would have to resubmit the plans. We would then sit down and do the review based upon what those changes were. I understand you have two different ways you can do that. You can either continue with the project. Allow the permits to stay active while you're doing that so that you're not delaying the construction of the rest of building while the plans are being designed or resigned. Or you have the other route to stop the whole project. At this point it doesn't sound like we need to stop the construction while we are taking care of these issues. Napa is very specific on records rooms. They have a specific NPA that addresses both on construction type both on firewalls. What a vault is. What can be

used as a vault in addition you have clean agent or inner gas. Once we get the proper information we'll sit down and get my crayons out and start going through the plans and looking at the codes and figure out a way to provide fire and life safety with meeting the administrative codes. A lot of times codes are in conflict with each other. What carries more presumptive weight was the question you originally asked. The design professional will put that on paper then we do a review.

- Amanda Oster- Would the system that you're speaking of require that the air conditioning ducts, vault room have some sort of automatic closure.
- Joe Murray- I'm not requiring anything I am just giving you options that are available.
- Amanda Oster- With those sort of systems in order for them to turn on would the ducts be able to close automatically?
- Joe Murray- You are going to have certain systems that are going to have to be shut off just like you would with any other fire protection systems that are in conjunction with other systems. Trying to correct one thing was going to affect things either upstream or downstream. That is why this company whoever they hire as the contractor the fire protection engineer or water managing employee from that company is the one that's going to be doing the submittal. If we then have any issues we will come back to the Commissioners Court and County Judge to have them look at that.
- Commissioner Chaney- Could you use something like an Ansel system that you would use in a kitchen or major restaurant? With that type of system you don't have to use steam it has no condensation. It's an inert thing and it's not hazardous to your health. Local insulation room specific that would take a sprinkler system out. Would that satisfy what the clerks are concerned about?
- Joe Murray- Right now we are just having an n discussion. Until the design professionals put it on a set of plans I can't speak to will it meet code or will it not meet code or will this be an alternative that will meet the code. Specifically the code says that you shall provide an automatic suppression system. They don't say an automatic sprinkler system. Suppression incorporates either wet sprinkler, dry sprinkler system. A wet or dry kin system in our gas halon. The word suppression covers multitude of systems that could be looked at to be able to satisfy the administrative code the fire code and provide fire and life safety with the preservation of the records.
- Pam Heard- A lot of building codes are going to require water. Another way around this which I was told by the Texas State Library is you put in another system that goes off in low temperature. You put a super high bulb on the water and put another system that goes off sooner. We just need to meet the requirements what we have now does not. I don't know when this is going to get done. The county clerk has very different situation than I do. I am going to send all of my permanent records to the Texas State Library until we can get a place to take the records to. There are codes that have to be met and if they have to have water then we have to have it. But then you have to have another system that's going to protect the records from that water or steam.
- Mark Williams- We did do research and we had our cost estimator do a cost estimate to provide the dry type system in that area. I have passed out a copy of that estimate to you for your review.
- Commissioner Casterline- Did you look at any of the other type of systems?
- Mark Williams- Dry type covers several types of systems. It covers a clean agent and it covers a dry type much like what you were talking about. One thing I will mention the spaces in those rooms for this clean agent to work properly have to be sealed. That means no ceiling tile it. The

ceiling has to hard. We will not be able to have fluorescent lights in the offices. The lights will have to be an impermeable light fixture. All the duct work has to be dampered. When the fire alarm goes off the damper shuts off this will stop the cleaning agent from going into the next space down the line. There are lots of modifications that have to happen to the area.

- Commissioner Rousseau- Is there a risk to the employees?
- Mark Williams- There is a risk that dry type system requires you to evacuate the space after it goes off. You can't sit there before it goes off.
- Commissioner Chaney- Not having that system in doesn't prevent us from opening the courthouse does it?
- Misty Kimbrough- My records which is 90% of my job can't go in that room with that wet system.
- Commissioner Chaney- That is what I'm saying. You can isolate areas that are limited. Whenever you have a fire you always shut the incoming. Electrically if you have a fire anywhere you shut the inlet air out off immediately and you never shut off the exit air.
- Mark Williams- The duct work has to have a dampered installed which is presently not there.
- Amanda Oster- What he is saying is that this was not done right the first time. Now they're going to have to redo it and charge us more money.
- Commissioner Chaney- Anyone who has ever dealt with any type of floor space of any reasonable size knows that's a fire code requirement. You can't have fresh air coming into a fire situation.
- Mark Williams- There is another element that has to be added to the duct work to shut it off directly above the diffusers so that the clean agent doesn't get on the documents. The clean agent has to have a combined space to work it can't bleed out into additional areas. The cleaning agent can't go under the door. The doors have to seal all the way around. Their will need to be door sweeps on the bottom. We are talking a ton of work and that is why the price is over \$2 Million dollars.
- Judge Garza- All of this is conservative estimate?
- Mark Williams- Yes this is a conservative estimate. When someone like Teal gets a hold of it I guarantee it will be more than that.
- Misty Kimbrough- Why are we going to be required to pay for that? It was sent in the first questionnaire to PGAL what was expected and need.
- Paul Bonnett- We could put together a meeting with the Count Clerk, the District and Teal and Broddus along with the design team to come up with what is an acceptable solution. There are other alternatives to a dry chemical systems. Commissioner Chaney you mentioned an Ansel system which is a brand name for an FM 200 system. We have used a dry fire suppression system in places before. We've used a dry pipe system so you don't have water over the top the space.
- Mark Williams- Was that the question you had?
- Misty Kimbrough- Not exactly I didn't expect a clear answer.
- Texas Law Library Commission- We are here to answer questions that you may have.
- Commissioner Rousseau- Rather than answer questions can you provide us with information.
- Texas Law Library Commission- The reason why the storage standards are so broad is because we do leave it open into interpretation of the local government. We are not able to speak for or against a particular method of fire suppression.
- Commissioner Caster- Can you tell us what the minimum required systems is?
- Texas Law Library Commission- Looking at the standard the minimum requirement is that there be a fire detection system. The floor should also be 5 feet above a 100 year old flood plain.

Those are the absolute minimum requirements. It is up to the local authorities to decide and determine what constitutes protection from fire, water, steam and structural collapse and unauthorized access. We made this so broad because it has to satisfy for all 254 counties. We are not authorized to inspect or look over requirements.

- Commissioner Rousseau- To clarify there would be courthouses that do not have this fire suppression system that is currently being discussed correct?
- Texas Law Library Commission- Yes. The standards only took effect in 2013. For any newer courts houses or renovation it's going to be a wide range throughout the state.
- Commissioner Dupnik- What does the State Law Library use for a suppression system on records?
- Texas Law Library Commission- For the state archives we have an aqueous gashes system. At the state record center we have a dry pipe system. In the record stat area and in our vaults we have an aqueous fire suppression system. We have 102,000 square feet of record storage space which for all records not necessarily permanent records we use a dry pipe system.
- Pam Heard- What year was your building built?
- Texas Law Library Commission- Half of the building was 1972 the other half was 1986.
- Pam Heard- They are not mandated by the 2013 legislation they just have that type of system because it's right thing to do.
- Commissioner Rousseau- There are alternative Pam to protecting our records.
- Pam Heard- Yes I understand that. I would like to point out that when they're talking about the local authorities they're speaking about the clerks. We have been completely open about this and saying what we need. I am 100% in favor of a meeting. I have asked for it I don't know how many times. I want everyone to sit down in one room so we can come up a plan. We don't have to waste. I have made the decision my stuff is going to the Texas State Law Library so the documents are protected.
- Commissioner Rousseau- I have never seen you come away from what you want.
- Pam Heard- In this very room I said we didn't have to have a dry fire system. No ma'am you can go back and look at it.
- Commissioner Rousseau- I'm glad to hear you say that.
- Pam Heard- Whatever meets these standards I am all for it. If it's not a dry fire system that is fine with me. I just need it to comply with the actual law.
- Commissioner Casterline- I don't think what they said meant it had to meet the statue.
- Mark Williams- There are two different types of systems we are talking about. The dry type is different than what he just mentioned. He mentioned the dry pipe system. Dry pipe system still uses water it's just not in the line. It activates by the fire alarm then pumps the water into the line, and then comes in the room. That is what the Texas Law Library has. So I just want to make that clear.
- Paul Bonnett- The dry pipe system can also be called a pre-action system. What's safer about that is that it takes both smoke and heat detection to set off the system. That is why it is better than having water in the wet pipe system above your records all the time. It could leak or a pipe could break. I don't think we have looked at that option before. A year ago the design team and construction team spoke about the vault for the District Clerks. We spoke about removing any sprinkler heads and adding some additional sheetrock to the walls to make it a high fire rating for the room. We ran that past the city to see if they would accept that. It was deemed that that solution was too expensive. We did not proceed forward.
- Mark Williams- The price we got from the contract was high.
- Judge Garza- We have to do something. Paul can you put your minds together and see what the

most cost effective way is better for us to meet code or the statute?

- Paul Bonnett- Yes. I think what I heard the State Library Law say is that they require the records to be protected from fire and water. Which I understand when it comes to water if the wet fire sprinkler system goes off then the documents can get wet. It can be interpreted which the State Library folks said that it's up for interpretation by the authorities having jurisdiction. The hurricane affected the records previously and I know that the county had to put forth some dollars to get the records restored. Having it in a secure building that's protected from hurricanes force winds is an improvement.
- Misty Kimbrough- Restoring those documents cost the county \$3,500,000.00 just up to 1951. That still leave 50 years of documents.
- Amanda Oster- Let's be clear I respect the people from the Texas State Law Library. Their opinion does not overrule the administrative code. Their opinions are in addition to the requirements of the administrative code. They are not stepping over the Texas law. They are just adding their opinions in addition to the state law. Your interpretation of the law may not be correct. There are two attorneys in this room and I don't think your one of them.
- Paul Bonnett- Fair enough. I think the easiest way to resolve this is to have a meeting about this subject. We need to make sure we all come to an agreement on how we can properly protect the records and the people. We need to figure out what is the least costly and best solution at this stage of the project.
- Commissioner Dupnik- I would like for it to be clear if there are any meetings going forward. Make sure to have the clerks included. I think they have been left out.
- Commissioner Rousseau- I would like to see what some recently built courthouse have done for their record protection for comparison.
- Mark Williams- Commissioner Casterline asked me to do a report of all the outstanding issues. That is ongoing I have that I'm not finished with it yet. I will have it I hope by Monday.
- Judge Garza- Do you want to talk about the schedule Mike sent. (Unable to hear the rest of the question)
- Mark Williams- Mike is the schedule Guru. This a document that we had done by authorities. They do nothing but schedule analysis. They took the contractor's schedule and the native file. The native file is different from a PDF. What they presented to us were the pay applications and the owners meetings as a PDF. They showed us a graph of how they're progressing and when they are going to finish. The native file which is a document created by one of the software products. Lots of architects and contractors use this report to develop timelines. We were able to get several different versions of the contractor's timeline from them. They sent us their schedule back around October of last year. Then they sent us a native file again back in December of last year. They recently sent us another version of the same file around February. They take the file and they disseminate it. They look at where timelines intersect. They create what's called a critical path. Critical path defines when the building's going to be finished. It links anything that has to happen before another activity can happen. For example you can't move in until the floor is down. This is how the schedule defines the critical path. With that information this group took that critical path and they observed some very odd incongruences. Some included renaming task for example it might be painting all the finish coats in all the rooms. They were messing with the schedule which became very suspicious to us. They took apart the timeline. After they realized how much work is left. The basic scope of work which is the brick, epis, roof on the tower etc. All these things that have not been caused by any delays by the county or the architect. The Texas Jail Standards modification has several components involved. Which are new doors at the courtrooms, and new frames. It's about five or six different items that are critical. All of that has a timeline with it. After looking at the schedule we've realized that

they're due about 10 days or maybe 20. That does not take into account this report. This also does not take into account any of the modifications that we have to do to the building to bring the non-compliance work up to speed. That adds additional time to the basic scope. We may not open any time at all and that's the end of the report.

- Commissioner Chaney- What concerns me the most is if we lose the documents we lose the history up until today. Those documents are important. We need to solve this problem. This is a one-time answer to long historical solution.
- Misty Kimbrough- I have heard thru list serve of courthouses losing records. Most of the time records are lost because of water and flood. 90% of the time water is the issue not fire when it comes to records being lost. Here is Aransas County from 1991 forward everything is electronic. From the beginning of the County to 1951 once we finish the \$3,500,000.00 project we will have electronic records for that time frame. There are scans for most things for those 50 other years. Just last week we discovered from mid-March 1960 to Mid-June 1960 there are zero images some books got missed. We have death certificates that are in Dallas for mold remediation that we don't have a copy of. The most we can do for those people who are trying to settle estates or sell properties is write out a certified copy of a fact of death. We have had a couple of people trying to get passports we can't give them Birth Certificates for the very same reason. The records are important to our citizen's daily lives.
- Commissioner Rousseau- No is saying they aren't Misty. There is not one person in here who thinks these records are not critical to the county. What we are saying is there might be other options and you seem to be on a one track path.
- Misty Kimbrough- I mentioned the temperature bulb several times in several meetings. Pam and I in our very first letter stated three options that T-Slack presented. Our options were in our very first commentary.
- Mark Williams- Do we want to set up a meeting with Pam and Misty.
- Judge Garza- I will have Paul set up a meeting with them.

IV. ADJOURNMENT

Motion to adjourn: by Commissioner Rousseau, motion was seconded by Commissioner Casterline

Vote: Motion carried 5-0: it was so ordered

Meeting adjourned at 4:25 P.M.

ARANSAS COUNTY COMMISSIONERS' COURT

Ray A. Garza, County Judge

Date Signed

Misty Kimbrough, Clerk of the Commissioners Court

Date Signed