

**AUSTIN COUNTY CLERK
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COMMISSIONERS COURT MINUTES

October 11, 2024 Austin County Commissioners Court met at 844 W. Main Street, Bellville, TX with the following present:

Tim Lapham, County Judge
Mark Lamp, Commissioner, Precinct 1
Robert "Bobby" Rinn, Commissioner, Precinct 2
Leroy Cerny, Commissioner, Precinct 3
Chip Reed, Commissioner, Precinct 4
Kimberly Benjamin, Deputy Clerk

**OPENING
CALL TO ORDER
ROLL CALL AND CERTIFICATION OF QUORUM**

Workshop began at 10:04 a.m. in Bellville.

1. Building/Construction Workshop

Per Judge Lapham and Commissioner Reed, contractors were asked not to spray paint the pipes in parking garage area, instead they would be painted by hand. Per Mike Moher, he made the decision to spray paint after consulting with aircraft companies and other fire stations on the endurance of the spray paint procedure.

Daniel Sanchez (Shellback Construction) expressed concern of expansion joint applications. Recommends contractors to review specifications for proper installation.

Per Mike Moher (Christensen Building Group), currently waiting to hear from electrician to see if they will offer bid to complete electrical work. Reached out to several electrical companies and none expressed interest in submitting a bid. Jeff Hull (Acuity Electric, Inc.), is pricing up information and appears to be interested.

Per Mike Moher (Christensen Building Group), there is currently no financial risk with this project. Still have funds remaining from Starbright Electric, Inc. to help cover cost for fixtures, and offset any cost difference between their remaining contract and new contractor's contract. Christensen Building Group is in possession of all fixtures from Starbright Electric, Inc. Starbright has monies remaining from both Industry and Bellville Projects.

Commissioner Lamp is being contacted by contractors inquiring on payment. Per Mike Moher (Christensen Building Group), forward invoices to him and Kenneth Burns (Burns Architecture, LLC) to review, before payments. Invoices are being paid through Markel Surety. Markel Surety will issue a payment schedule to Christensen Building Group.

Per Daniel Sanchez (Shellback Construction), Firetron, Inc. has not approved fire sprinkler system. Encourages Christensen Building Group to contact Firetron, Inc. in attempt to speed up process of approval.

Judge Lapham requests to have poles or some type of protection around the electrical panel box to prevent anyone from running into it. Christensen Building Group will take care of this requests.

Per Commissioner Reed, recommends Christensen Building Group contact Sammy as soon as possible to come out for installation

Per Mike Moher (Christensen Building Group), there needs to be a discussion and decision made on when to move generator from other location to Bellville location.

Per Commissioner Lamp, requests to move empty Conex Boxes from the work site, so space can be utilized for other purposes and cut back on rental costs.

Workshop recessed at 11:21 a.m.

Workshop reconvened at 11:33 a.m. at Courthouse.

Attendees: Judge Lapham, Commissioner Lamp (Precinct 1), Commissioner Rinn (Precinct 2), Commissioner Cerny (Precinct 3), Commissioner Reed (Precinct 4), Daniel Sanchez (Shellback Construction), Kenneth Burns and Jonathan Anderson (Burns Architecture, LLC), Billy Doherty (County Auditor), Ronnie Thrasher (Maintenance), and Jonathan Hopko (County Engineer).

Daniel Sanchez (Shellback Construction) shared pictures over video screen while discussing his findings of repairs needed at Justice Center. He and Kenneth Burns (Burns Architecture), did a walk through with the flooring and roofing contractors.

Per Daniel Sanchez (Shellback Construction), cracks in tiles of Justice Center hallways are due to poor preparation during installation. Per Kenneth Burns (Burns Architecture), there are temperature cracks underneath the tiles caused by not allowing adequate time for concrete to dry before laying VCT's (Vinyl Composition Tile).

Commissioner Reed inquired on the person responsible for overseeing the flooring installation. Per Kenneth Burns (Burns Architecture), Gaeke Construction was responsible. Some tile pieces do not have enough glue to hold in place. Time performance of VCT (Vinyl Composition Tile) is 20-30 years.

Judge Lapham advised to get more use from floor before making the decision to pull up.

Per Daniel Sanchez (Shellback Construction), there are no foundation issues.

Per Daniel Sanchez (Shellback Construction), control joints installed incorrectly on windows in Justice Center. Seal dam not properly installed to prevent leakage.

Judge Lapham inquired if drawings call out framing specifications. Per Kenneth Burns (Burns Architecture), there is not a specific standard that window is built to. It would be built to window industry's standard on how to frame a window.

Per Commissioner Lamp, all changes made to Justice Center drawings by Burns Architecture and Gaeke Construction should have been provided to County for review. County should be in possession of those drawings.

Commissioner Cerny inquired if shop drawings should be held until warranty is expired. There should be drawings available for County to look back over. Per Kenneth Burns (Burns Architecture), he only keeps drawings up to one year of project completion.

Judge Lapham inquired on solution for repairing expansion joint issue at windows. Per Daniel Sanchez (Shellback Construction), there are a few choices to fix the issue: go back over each window and correct expansion joints; cut dry wall, cut out expansion joints and refix each window; or wait to repair each window once problem occurs. Daniel suggests to repair windows individually if problem occurs.

Commissioner Lamp suggests cutting out sheet rock and installing wood for the framing. Daniel Sanchez will check what can be done to fix framing issue with windows.

Per Ronnie Thrasher (Maintenance), all windows along wall in Justice of the Peace, Precinct 1's courtroom has a leak. Estimate 5 windows with leak issue.

Commissioner Reed inquired on who was responsible for window installation during construction of Justice Center. Per Kenneth Burns (Burns Architecture), if still involved with the project, Gaeke Construction would need to reach out their subcontractor.

Per Kenneth Burns (Burns Architecture), County will need to hire a general contractor to quote pricing for window repairs.

Per Ronnie Thrasher (Maintenance), issues with windows occurred prior to Gaeke Construction leaving project.

Per Judge Lapham, there are plans of attack to resolving window, roofing and flooring issues at courthouse. County needs a complete list of issues and determine the responsible parties of that job. County will advise responsible parties that actions will be taken for poor workmanship and repairs.

Per Jonathan Hopko (County Engineer), County needs to compile a list of issues and determine the remedy and cost. In the midst of process, Gaeke Construction should be notified of issues found and given the opportunity to resume responsibility. This will determine how County will move forward in this matter.

Commissioner Reed expressed concern that shop drawings may have missing or conflicting information that Gaeke Construction could use as reason for their poorly-executed work.

Per Kenneth Burns (Burns Architecture), Gaeke Construction will deflect County's claims against them. County has to be prepared to show what drawing calls out.

Per Daniel Sanchez (Shellback Construction), identified leaks inside of Justice Center and corresponded those with leaks on roof. Problem seems to exist around exhaust fans having lack of sealant. Water coming through exhaust fan/exhaust vent and entering into building. Roofer found voids in roofing panels.

Judge Lapham inquired on warranty for roof leaking issue. Per Daniel Sanchez (Shellback Construction), it is up to the roofer to determine if leak is a watertight issue and it would fall under warranty for watertightness. This would be an MBCI (Metal Building Components Industry) issue and their responsibility to fix. Warranty is in County's name.

Per Daniel Sanchez (Shellback Construction), roof has loose screws. Roof Inspector advised Daniel Sanchez and Ronnie Thrasher (Maintenance), that on a metal roof after major weather events, owners should walk their roofs to check for any loose screws. Roofing Inspector works for Gaeke Construction. Roofing Inspector advised Daniel Sanchez that incorrect sealant was used on ridge of roof.

Per Daniel Sanchez (Shellback Construction), spoke with Richard (L&B Roofing, LLC) and was advised that he would be willing to fix screw issue on roof.

Per Daniel Sanchez (Shellback Construction), informed MBCI (Metal Building Components Industry) that rate detail does not match shop drawings for Justice Center. Their drawings are not suitable for Justice Center. Roof Inspector did not use proper drawing during roof inspection.

In regards to gutters, MBCI (Metal Building Components Industry) manufactures this product but does not provide warranty. They offer a weather tightness warranty, but it does not apply to gutters. Roof Inspector dismissed any concerns for gutters. Per Judge Lapham, County can contact roof installer (L&B Roofing, LLC.) to provide resolution for gutters. Daniel Sanchez will have Richard from L&B Roofing to come out to Justice Center.

Per Judge Lapham, L&B Roofing, LLC. needs to come out before calling MBCI (Metal Building Components Industry).

Daniel Sanchez (Shellback Construction), provided serial numbers to Auditors Office for generator maintenance. There are 13 generators total. Per Ronnie Thrasher (Maintenance), he and Billy Doherty (County Auditor) will go out and get serial numbers from all generator locations.

Daniel Sanchez (Shellback Construction), provided update on Wendt Street building project. Received a quote of \$75,000 for concrete work at Industry EMS. Quote includes 6" concrete around building, thickened slab area, 4 ft. wide paving area, asphalt flexible paving towards road and access, 3 inlets, piping, massaging of terrain.

Workshop adjourned at 1:20 p.m.

**ALL SUPPORTING DOCUMENTS ON FILE WITH COUNTY CLERK AS PROVIDED BY
COMMISSIONERS COURT**

I, Austin County Clerk, attest to the minutes of the Commissioners Court proceedings
for October 11, 2024.

Date: October 28, 2024

Kimberly Benjamin

Kimberly Benjamin, Deputy
Clerk of Commissioners Court
Austin County, Texas



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2024 OCT 28 PM 4: 29

Andrea Corderas
COUNTY CLERK
AUSTIN COUNTY, CLERK