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## York Courthouse renovation may not meet court's growing needs

Published: September 14, 2013

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YORK — A large red trailer beside the York County Courthouse marked "asbestos" is a sign of progress in an ongoing renovation project that has cost the county more than \$3 million dating back to before the millennium.

While efforts to renovate the 99-year-old courthouse finally kicked into gear last month after years of stalled plans, some officials remain unconvinced the county has done enough to address both the intermediate and long-term needs of a growing court system.

"York County is the only county of the 46 in South Carolina where the clerk of court is actually in three different locations," said David Hamilton, who has become accustomed to long drives between scattered sites in York and Rock Hill.

Frustration with inadequate facilities is something Hamilton has dealt with since he was first elected as clerk of court to manage the county's courts nearly 16 years ago.

Then, Hamilton said, officials toyed with the idea of centralizing some court functions as dockets expanded, but plans never took root.

Instead, by the late 1990s, both the Probate Court and the Master-in-Equity had outgrown their allotted space at the courthouse and moved to separate leased sites, where they remain today. Civil court moved out in 2011.



Large containment unit stands next to the Courthouse as asbestos abatement is underway at the York County Courthouse in York.

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since 2008, when money was first allocated to the project, but the process again stalled when the county changed architects in 2011.

Demolition to remove asbestos and other toxic materials from the courthouse started last month, but county officials said residents won't see a finished courthouse until after December 2015.

In the meantime, costs go beyond mileage and patience.

Taxpayers have shelled out more than \$3 million in preliminary courthouse-related costs, according to figures compiled by The Herald. Costs for construction, which will comprise the bulk of the project, have yet to be determined.

County Council Chairman Britt Blackwell called the backlogged project "a disaster" that has been mishandled and mismanaged by previous councils and officials.

"If I had my way, things would have been jumped on," he said. "The system can only do what the system can do."

\$3 million and counting

Leasing temporary space for the courts has cost the county just shy of \$1.5 million in rental fees and utilities alone since 1998, according to documents provided by the county.

The county pays an average of \$13,000 in rent and utilities a month for three temporary sites to accommodate probate, civil and master in equity courts. If construction at the courthouse goes as planned, taxpayers will pay at least \$364,000 more in rent through 2015, for a total of more than \$1.8 million.

"Plan is the key word," Hamilton said of the projected timeline. "I anticipate it to probably take longer."

The county has spent more than \$580,000 solely on design work for the courthouse, including a contract the county cancelled in 2011. The county broke off the contract when cost estimates were higher than expected.

An additional \$565,000 has been spent to remove asbestos and other toxic materials, work that is underway and expected to finish by December.

But neither figure includes the cost of construction, which is expected to be the most expensive component of the project. In January, county engineers projected a \$6 million total cost for courthouse updates in a memo to the county manager.

Assistant County Manager David Larson said those figures have not been finalized. The current design firm is scheduled to give the county a detailed timeline and an estimate of complete costs later this fall, he said.

A separate project to upgrade another York building specifically for the register of deeds office also has racked up more than \$565,000 in costs. Construction to house the property records is scheduled to be completed by October.

### Wasted time

Hamilton pointed out that the current plan to renovate the courthouse isn't a cure-all. It doesn't account for underlying issues, he said, such as the expanding Family Court system or the disparate locations of court sites, which are spread between York and Rock Hill.

On most days, Hamilton works out of the Moss Justice Center in York, which houses criminal courts, the sheriff's office and the main clerk of court office. Other days, he's called to Family Court, at the Heckle Complex in Rock Hill, or to civil court in the Belk Building in York.

Hamilton also is in charge of property records, which are housed in the Belk Building and at the McCelvey Center in York, which includes historical documents.

### More information

- Temporary leasing and utilities (through Dec. 2015): \$1,500,000
  - Register of Deeds construction costs: \$566,000
  - Abatement/remediation (complete in Dec. 2013): \$565,000
  - Architect firm contract (canceled in 2011): \$410,000
  - Architect firm contract (current): \$171,000
  - Shelving for property records at McCelvey Center: \$45,000
  - Relocation of tax and finance offices: \$9,000
- Total:** \$3,266,000

SOURCE: York County Manager's Office. Figures rounded to nearest thousand.

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Some of those documents were damaged last month when stormwater flooded the building , prompting employees to deploy fans and dehumidifiers to dry out the paperwork.

“There are times when I've had to go to all four, and there are times when I go two weeks and I haven't visited an office,” Hamilton said. “We tend to spend a lot of time moving files and moving desks.”

Hamilton said taxpayers are the ones who pay the ultimate price in “wasted time.”

“We don't have the space to keep them at our fingertips,” he said of the county's scattered documents. “There are times where we have to tell the public, we will have that tomorrow or the next day.”

Scattered offices also have added to public confusion about where to go for specific county services.

“All of the employees who work there are having to spend time redirecting members of the public that come in,” Judge Jack Kimball said of his master-in-equity office, which handles most foreclosure cases and other civil, non-jury matters.

“Nobody's been denied services; the public is just very confused about where to go find them.”

Kimball said he has seen people walk into his building looking to get a marriage license, only to be told to head back to their cars to the Probate Court across town.

The master-in-equity's temporary space in a building on Congress Street in downtown York is adequate, he said, but not ideal.

“By definition, this building wasn't designed to serve as a court,” he said of the space, which has been leased since July 1998.

“The services that the traditional courthouse offers...it serves far more people than some of these more touted or advertised, proposed county functions,” Kimball said, referring to museums and other cultural facilities that tend to generate buzz.

“The real issue about all of that is that the public, the citizens of the county who use the facilities, they're the ones who are affected.”

### **A permanent solution**

Once renovations at the courthouse are complete, it will house only the probate and civil courts, along with master-in-equity.

The county's growing Family Court system will remain indefinitely at the Heckle Complex in Rock Hill, where it has been for more than two decades, and criminal courts will remain at the Moss Justice Center in York.

The county doesn't pay to lease those two sites because it owns them.

“We've got three courtrooms, and a good part of the time we have all three occupied,” Family Court Judge David Guyton said. “We could certainly use more space.”

Family Court routinely gives up one of its three courtrooms to the Department of Social Services for child support hearings. It's common for the building to get overcrowded quickly on those days, Guyton said.

“The line will be out the door because it's become a fire hazard issue,” he said. “The deputies and bailiffs have to keep the people waiting outside.”

By Guyton's estimates, the Family Court handles about 3,000 cases a year. The upside, he said, is that most of the court's documents are housed on site and not with other documents miles away in York.

With the proper planning and enough money, he said, the county could have gone toward a centralized courthouse system in which all court divisions are housed under one roof – such as in Lancaster County.

Lancaster County built a new, three-story courthouse in 2011 at a cost of \$33 million, paid for by a penny sales tax approved by voters.

“Lancaster got it because their courthouse burned down,” Guyton said of an arsonist’s blaze that gutted the historic old courthouse in 2008. “It’s like everything else – finances.”

Hamilton doesn’t buy the idea that York County is too cash-strapped to consider centralized options – at least to house county documents, which could be kept in one location and managed by one staff.

“That clearly will take a little bit of money,” he said, “but we have wasted so much money moving files, drying files.”

Relocating doesn’t come cheap. The county paid \$45,000 for shelving alone when it moved part of its property records at the McCelvey Center. Moving the county tax and finance offices from the courthouse cost \$9,000.

The County Council is open to hearing suggestions for how to make the court system more efficient, Blackwell said. He hopes incoming County Manager Bill Shanahan, who was hired last month, will do a better job at addressing needed capital improvements than previous managers have done.

“We want to clean the mess up and take it to its end as quickly and efficiently as possible,” he said.

Blackwell said he has asked Shanahan to make court-related improvements his top priority when he starts work next month.

“The government process sadly is a very slow, diligent process,” Blackwell said.

County leaders have discussed building a second justice center in eastern York County, as well as an expansion of Moss Justice Center.

They also are devising a master plan to assess existing facilities along with planned capital projects.

Blackwell said he is looking forward to seeing the courthouse restored as one step forward in the ongoing process.

But Hamilton remains skeptical of the renovation timeline itself.

“If the past is any indication of the future, no, I am not confident,” he said. “Things tend to take a little longer.”

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