



You Are Why We Are Here

**FRANKLIN COUNTY
BOARD OF COMMISSIONERS
PUBLIC HEARING MINUTES
July 13, 2020
5:30 p.m.**

BOC: Commission Chairman Thomas Bridges
District 1 Commissioner Robert Franklin
District 2 Commissioner Dr. Jason Macomson
District 3 Commissioner Ryan Swails
District 4 Commissioner Eddie Wester

Media: Shane Scoggins, Franklin County Citizen
MJ Kneiser, 92.1 WLHR

Staff: County Manager Beth Thomas
County Clerk Kayla Finger
Planning Director, Scott DeLozier

1. Call Public Hearing Meeting to Order Chairman Bridges called the meeting to order at 5:30 p.m. He asked people to respect the rules of social distancing.

2. Items for Discussion

a. Public Hearing Items

- i. *Building Inspections Program Q & A Session: Chairman Bridges introduced Planning Director DeLozier as the liaison for the building inspections program and opened up the floor for the public to ask any questions relating to the proposed program. Chairman Bridges also instructed those who wished to speak to come up to the podium and state their name for the record. Clayton Thomason of Sandy Cross spoke up and asked if there would be several separate inspections on one home. Dir. DeLozier stated yes and there would be a one-time permitting fee unless the inspection failed and there would be a reinspection fee. Mr. Thomason asked if the inspectors coming out would be qualified. Dir. DeLozier stated that they are all certified for the inspections process and it should be one guy that Franklin County is dealing with from Bureau Veritas. Van Langston asked what the re-inspection fee would be. Dir. DeLozier answered it would be no more than \$50.00. Commissioner Swails asked to clarify if there was a need for re-inspection would the homeowner still be able to proceed with other aspects of the home. Dir. DeLozier said most*



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likely yes, but it would depend on what it was and feasibility. Mike Reed asked about stop work orders. Dir. DeLozier stated that stop work orders can be issued but it will be on a case by case basis and they are not looking to stop progress or inhibit growth. Commissioner Swails added it would most likely be in cases involving safety hazards. Mr. Reed asked if the inspectors would be available Monday-Friday 8AM-5PM. Dir. DeLozier stated that all calls will be accepted through the commissioner's office and if the call is processed by 2PM the inspectors will be there no later than the next business day. Mr. Reed asked if the homeowner or contractor had to be present for the inspections. Dir. DeLozier stated they were not required to be there, but that it is encouraged and the property would need to be prepped for the inspectors to gain access (E.g.: gates unlocked). Bobby Martin asked what qualifications the inspectors have. Dir. DeLozier stated they are licensed inspectors. Mr. Martin asked if we had anybody in the county who could be our licensed inspector. Dir. DeLozier stated that he was sure we did. Mr. Martin stated he did not see why we would be contracting out to Bureau Veritas when we have local people. Dir. DeLozier stated that from the county's current starting point it would be beneficial to go with an already established business such as Bureau Veritas that has years of experience and right now there is not enough work to justify the county hiring another full-time employee. Mr. Martin asked couldn't Dir. DeLozier be trained to do the inspections. County Manager Thomas stated it would take years to get him trained and fully qualified. Dir. DeLozier stated he could but that it would take a lot of time to get someone fully trained to perform inspections. Mr. Martin stated that perhaps the county was getting the cart in front of the horse and maybe this idea should be put on hold. Dir. DeLozier the purpose of using Bureau Veritas was getting someone in to do inspections that has years of experience and knows what they are doing. Manager Thomas stated the case of the Marshall's office and how she stepped in to fill his spot and had to outsource to help the county through this interim period. Manager Thomas further explained that having a company within the first two years will allow us to have a succession plan and it ensures that our community and contractors won't have to wait if something comes up and someone is out sick. Mr. Martin stated that it appeared to him that it would be good to have local people in his opinion and if you have no local control over inspections, it seems you are putting all your eggs in one basket. Dir. DeLozier responded that we do have local control and there will be a chain of command followed through himself and the commissions office and a building official who can override a building inspector. He further stated that there is a



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built-in appeals process where an individual can appeal any decisions made within 15 days and the board of commissioners will be the final appeal board. Mr. Clayton Thomason stated his personal experience taking his certification test and training and asked if zero calls come in and the county never has to call Veritas, would we owe them anything. Dir. DeLozier stated we would owe them nothing since the county is planning on doing what is called a revenue sharing plan, they would get a small percentage of the permitting fee to cover the administrative cost and the rest of the permitting fee would go to Bureau Veritas. Mr. Thomason asked if they would drive all the way from Jefferson for one call. Dir. DeLozier stated yes and Commissioner Swails commented that they may already be in the area. Mr. Mike Reed asked if this would apply to mobile modular homes. Dir. DeLozier stated that was correct. Mr. Thomason asked about the inspections program in regards to rental property. Dir. DeLozier stated that if it was an addition to the house, only the addition would be inspected not the existing house, and if the entire house was being gutted and redone it would not require a permit, the permitting process is for new construction and commercial only. Manager Thomas reiterated that the county is only looking to adopt an inspection process to enforce what was already mandated by the state and adopted by the county in 1996 as the minimum building codes and this process would apply to new construction and commercial buildings. Mr. Thomason stated his concern for nit-picking and thinks that the county should limit the adopted inspections to 1-2 family dwellings and residential codes. Mr. Thomason also posed the problem of potential political/familial ties causing people to turn a blind eye to following the inspections process. Commissioner Swails asked about the property management inspections. Dir. DeLozier stated that it is not inspections but that there is a portion labeled property management inspections that deals with blight property but it is not part of the inspections program. Mr. Thomason argued that it was and on the county website it was listed at the bottom as "property management inspections" and could potentially be a problem down the road by giving inspectors a broad expanse to nitpick things. Mr. Bobby Martin stated that it sounded like we don't really know what is in the building inspections program. Manager Thomas stated that the blight side would be in the nuisance ordinance and that Mr. Martin seems to have changed his stance since the last meeting when he was in favor of the building inspections program in regards to his daughter's new house. Mr. Martin stated that a banking/lending institution would make sure that building quality is up to speed before selling a home and that homes have to be inspected before the lender will put out money for it.



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Commissioner Swails stated that was absolutely not the case and that he deals with this daily. Mr. Martin continued that he believed the county was not ready for this and that there are existing issues that need to be dealt with on the zoning maps. Dir. DeLozier questioned what the issue was with the zoning maps. Mr. Martin declined to answer and stated they would discuss it at a later time and that he believes that in his personal opinion as a taxpaying citizen, not as the tax commissioner's office that the county is getting the cart before the horse on this situation. Commissioner Swails asked Mr. Martin to clarify his issue on the program. Mr. Martin stated the issue he foresees is the consistency on inspections and getting people here to do them and the tendency of the inspections to grow and the cost of the inspections, he personally feels it would be better handled in-house. Mr. Thomason echoed Mr. Martin's sentiments. Commissioner Swails addressed Dir. DeLozier and stated he knew how diligently he had been working on this program and how closely Dir. DeLozier has been working with Bureau Veritas and asked if there were some representatives present tonight that could explain things in more detail and how they work with other numerous local municipalities. Mr. Hal Chitwood of Bureau Veritas spoke up, stating that they are stationed out of Jefferson, GA and they have accounts with several local governments such as Jackson County, Banks County, City of Baldwin, Oakwood, Nicholson, and Pushton. He added that they manage planning and inspections for residential and commercial properties and each of these jurisdictions have the final interpreting authority. Mr. Chitwood explained that Bureau Veritas is not coming in to issue stop work orders and start fining people, he has worked very hard to train his staff to work with people for growth. He continued that building safety is of the utmost importance to citizens and builders especially because they are held liable to the building codes whether an inspection is performed or not. Mr. Chitwood explained that he and his team are there to help people understand the code, not nitpick and stop people from building their homes. He invited everyone in attendance to reach out to the numerous local areas Bureau Veritas works with to see how they operate. He also noted they are in the area every day because they service all of the surrounding areas so its not really out of the way. Mr. Chitwood also added that he preferred to have the homeowners on site to meet them and walk the property with them and talk through the codes and form a working relationship. He also mentioned like Dir. DeLozier previously stated that they planned on having one primary individual working the area and if they are unavailable his remaining staff are fully qualified and trained to step in and handle the work in a consistent manner. Mr. Thomason asked



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about any legal disputes/litigation against Bureau Veritas and noted how large the company is and he worries how this will evolve. Mr. Chitwood stated that he has worked for them for 6 years and never witnessed them overstepping or trying to take over. He explained that they are consultants and if they think for example that a stop work order should be enacted for safety purposes, they would recommend it, but ultimately it would still be up to the county. Mr. Chitwood also explained the value of the private model sector and how he has worked on the government end and the private sector end. Mr. Reed asked if Bureau Veritas was held to national plumbing codes, electrical codes, etc. Mr. Chitwood said yes they are. Mr. Thomason pointed out that if he changed out his A/C and then his house burned up that Bureau Veritas would be protected from that. Mr. Chitwood stated that was correct, but they are liable if there is a case of neglect on Bureau Veritas' part. In examples like that of the A/C, Bureau Veritas can't control what happens in the house once they leave, and they are only checking the minimum standards. Mr. Thomason asked about the warranty required by home lending institutions for uninspected homes. Commissioner Swails explained that homeowners living and operating in counties without an inspections program are bearing the burden of that additional cost and the lending institutions are requiring this as a safety measure to cover themselves because they are putting a lot of money into a house that won't be inspected and may not be built well. Commissioner Swails detailed an example in his own neighborhood of a home that was built on the wrong lot and was torn and relocated to the proper lot in bits and no inspections were there to check that this was being done properly. Mr. Stacey Hall asked how many cases are in writing of issues where we needed a building inspector. Dir. DeLozier stated they had no way of knowing how many in writing because they have no one to enforce it, but he stated from the phone calls he receives in his office it happens weekly and he recounted examples of instances happening right now. Chairman Bridges stated that he viewed it as a two-edged sword, the good builders won't have a problem with it and the ones that want to cut corners and charge Franklin County's citizens for a shabby house will. Chairman Bridges went on to read an email aloud from a retired couple in their eighties who ended up spending initially \$5,000.00 and eventually another \$14,000.00 to repair numerous issues and code violations with the home they bought in Franklin County that their contractor refused to fix. Chairman Bridges stated that the citizens of Franklin County do not deserve to go through this and that the county needs help. He further stated that if this company does not work out, we need to move on but we need efficiency. Mr.



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Thomason asked if an individual can call out Bureau Veritas themselves as a private inspector. Mr. Chitwood if there was no existing contract for that jurisdiction that they could, but if there is an existing contract it would be a conflict of interest. Mr. Thomason asked in lieu of a home inspection program could it be left up to the home buyer to select a contractor from a list of service providers provided by the county. Manager Thomas said that the problem with that scenario is that developers building subdivisions and if these houses are built with no inspections to satisfy the growing need for housing in Franklin County, then inevitably we will be getting more letters like this down the road. Mr. Thomason asked why couldn't they just have a list of approved providers for homeowners to choose from. Commissioner Swails said they are already out there and that the problem lies in the fact that no one uses these providers and no one is out there enforcing the codes. Manager Thomas stated that state law already provides for inspections to be done and referenced Commissioner Wester's comments from a previous meeting about the state building minimum being on the DCA's (Department of Community Affairs) front cover of their handbook. Manager Thomas explained that state law trumps local law and we are charged with having one and the DCA map shows that Franklin and Rabun County are the only two counties left in the state of Georgia that do not have some adopted form of inspection. Mr. Stacey Hall asked would they inspect for the grading. Dir. DeLozier stated they would start with the footers from a building perspective and Franklin County is not a local issuing authority, that goes through the EPD in Athens. Mr. Hall stated that with all these subdivisions they better have grading, otherwise it will be on the county. Dir. DeLozier explained this is in a totally different realm of the county and roads are maintained through the road department and that is not dealing with the inspections program. Mr. Mike Reed asked about service lines. Mr. Hal Chitwood stated that generally their jurisdiction ends at the cleanout, but 10 ft from the house is the max. Mr. Hall asked if he built his own house would it still have to be inspected. Dir. DeLozier stated it would and he would have to fill out the homeowner's affidavit and pull the proper permits. Mr. Martin restated that he felt that it should be in house with existing staff. Mr. Hall asked about a hypothetical example if he built his own 2,000 sq. ft. house and Dir. DeLozier provided some estimations of 20 cents for heated square footage, 10 cents for unheated, and \$100 for each trade permit. Mr. Martin posed a question of wouldn't it be cheaper to do it in-house. Dir. DeLozier explained that the way state law designed it is that the county can't make any money off of permitting fees, they should just cover the cost of department. He explained that if the county were to hire



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billing individuals and building inspectors, they would have to buy trucks, software, cover their salaries & insurance, and any other work materials they would need. The permitting fees would have to cover that additional cost and if they are only getting 10 calls per year the county would be going backwards. Mr. Martin responded that he believed Dir. DeLozier needed to do inspections with existing staff. Chairman Bridges addressed the room stating that the public hearing had gone overtime, but noted that every question was important and called for anyone else who had questions to come forward. Mr. Mike Reed asked about the time frame for inspections. Dir. DeLozier stated if the notification is received by 2 PM, the inspector will be out to the property the next business day. Mr. Reed added that this county needs inspections. Mr. Thomason asked a hypothetical about an emergency on July 3rd around a holiday. Mr. Chitwood noted that Bureau Veritas can do an after-the-fact inspection in cases of emergency and this is allowed by state law. Commissioner Macomson asked was this detailed in our agreement with Bureau Veritas. Dir. DeLozier said it could be added if it's not already in there. Mr. Chitwood said it was already in there and he explained that he and his team will not try to make people wait and cause delays and if they happen to get the call and are already in the area, they will try to come on out to inspect. Mr. Chitwood reiterated his desire to see progress and growth happen and to form working relationships with these homeowners and giving out business cards so the homeowners can call them directly. Mr. Thomason described an example of a pre-fab tiny house and asked would it need inspections. Dir. DeLozier stated it would and that Franklin County does not have a minimum square footage on homes being built but the state code does have minimum size for certain rooms. Mr. Chitwood stated to require a permit, building code states anything over 200 square feet requires a permit and the county can always dictate if they want something else, but these are state-mandated codes and they county doesn't have to adopt them since they are already state-mandated. Mr. Thomason restated his concern with the number 10 listed on our website on property maintenance, and how he thinks this could get out of hand. Dir. DeLozier stated that the county already has a nuisance ordinance. Mr. Thomason asked was it the same as the state of Georgia's because he had never seen one for Franklin County. Dir. DeLozier stated they had it and could get him a copy. Mr. Thomason stated he used to go to the marshal for things and he would always direct him to the commission's office. Dir. DeLozier and Mr. Chitwood explained code enforcement does fall under the Marshal's jurisdictions. Manager Thomas explained that the marshal had passed away earlier this year and they had not yet hired a replacement. Chairman Bridges called for any



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other questions. Mr. Mike Reed asked about getting printed copies of the building inspections manual for free at the commission's office. The Chairman, Manager Thomas, and Dir. DeLozier agreed that this could be done and was a good idea. Dir. DeLozier explained that it is also available online and he would be doing a training session on July 30th. Manager Thomas stated that state code could also be accessed at any time online on the DCA website. Van Langston asked if a homeowner could pull their own permit and referenced his own project he has been working on. Dir. DeLozier stated that he could pull a permit and the deadline is August 1st to go forward without the inspection program if it is approved. Mr. James Mason asked why couldn't a person or their friend build an outside building or addition without an inspection if they are okay with it. Dir. DeLozier stated any ag-related structures are not going to be inspected, but if you want to add on to your house, that add-on will be inspected but not the existing part of the house. Mr. Mason asked why he or a friend couldn't just do that. Dir. DeLozier stated he could by signing a homeowner's affidavit and taking responsibility for it and anything over 150 sq. ft. requires a permit since 2005. Dir. DeLozier added that even if the homeowner chooses to do the work themselves, it still has to be inspected due to safety and future use. Mr. Thomason asked if he was already in a house 30 years old what about the future life of it and bringing it up to code. Dir. DeLozier explained that Mr. Thomason's example is an existing structure and they would not come out and inspect it. Chairman Bridges commented that he appreciated the interest in this program and that no program is perfect, but the commission is ultimately looking to do this for the citizens safety and reiterated that Dir. DeLozier would be hosting a training session for any interested parties. Mr. Thomason stated that Georgia used to not have a license for building residential properties do they do it now, in South Carolina I have to get a license to do home inspections. Mr. Chitwood stated there are home inspectors and there are building inspectors and the home inspector sees the after product, while the building inspector sees the process of it being built. Dir. DeLozier stated he did not know if licensing was required by the state for home inspectors because they are totally different from building inspectors. Chairman Bridges stated Director DeLozier would be available for calls and questions, and encouraged everyone to keep in mind this won't be perfect but it will be a work in progress for the safety of the community.



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Chairman Bridges closed the public hearing at 6:45 p.m. and called for a five-minute break before the regular session.

Signed on the _____ day of _____, 2020

Chairman J. Thomas Bridges

Robert L. Franklin, District 1 Commissioner

Dr. Jason Macomson, District 2 Commissioner

Ryan Swails, District 3 Commissioner

Eddie Wester, District 4 Commissioner

Kayla Finger, County Clerk