



You Are Why We Are Here

**FRANKLIN COUNTY
BOARD OF COMMISSIONERS
PUBLIC HEARING MINUTES
July 28, 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 via Zoom

Staff: County Manager Beth Thomas via Zoom
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: Chairman Bridges invited the members of the public to come up to the podium one at a time and state their name and ask any questions they may have on the building inspections program.

Mr. Rick Whitworth asked how this would affect the cities of Franklin County? Could they participate if they want to?

Planning Director Scott DeLozier responded that the program is currently just for the unincorporated areas of the county. If the cities wanted to participate, they would have to adopt their own version of the program. Bureau Veritas has the capability to handle the other municipalities if they want to join in.

Mr. Whitworth: Would they be under your umbrella?

Dir. DeLozier: If the cities wanted to join in, they would have to collaborate with the county to come to some sort of agreement.



You Are Why We Are Here

Mr. Dave Davis asked if anyone in the room was under 18 years of age. He then stated that they are going to see another one of their freedoms and personal liberties taken away from them. He stated he was totally against the program and grew up in an area that had one and it was totally useless, and a burden on taxpayers in his opinion.

Mr. Clayton Thomason stated that the state of Georgia does have mandated codes, but some of them are called permissive codes. The mandatory codes are one thing, but the thing he has an issue with is the property maintenance code. He compared it to being a government-owned subsidized homeowners association. He noted his prior experience and affiliations with building organizations in the state of Georgia and South Carolina. Mr. Thomason is worried that the property maintenance/blight issue will be exploited, and turn individuals on each other. He noted that he understood the new home construction side would be helping the citizens. Per Capita income for Franklin County is \$21,000 according to the 2018 Census. He encouraged the board to take into consideration a break on fees for first responders, elderly, veterans, and people with disabilities.

Mr. Charlie Eason addressed the board stating his past experience in the building community all over north Georgia and explained that Franklin County was the only place in the area that he has ever been where there was no building inspections program. He referenced Mr. Thomason's earlier statements about mandatory Georgia code. He explained that the state code is there whether the county or local municipality chooses to enforce it. He told the board it was up to them to enforce it and he was present to speak in favor of the building inspections program.

Commissioner Swails asked Mr. Eason with his experience would implementing this building inspections program translate into better built homes.

Mr. Eason stated buying a home is one of the most important and most expensive financial decisions a person will ever make. Almost all people try to buy as much house as they can afford, but when they end up buying a house that has issues due to substandard construction, they have to pay even more to fix these issues and make the house safe to live in. He also stated there are fly-by-night builders who get run out of counties and look for counties that don't have inspections programs. He told the board that this inspections program should protect their citizens.



You Are Why We Are Here

Commissioner Swails asked Mr. Eason if this would benefit local builders by not having to compete with these outside builders.

Mr. Eason stated it would.

Chairman Bridges asked Mr. Eason about timeliness issues.

Mr. Eason stated that 85-90% of inspections happen that day or the following day unless you are in Atlanta and if that is the case it may take two weeks. He stated that Franklin County was not Atlanta and that he had worked with Bureau Veritas in the past and they were prompt and did their job. He stated that he had never had a problem with building inspectors and viewed them as a second set of eyes to help catch if he missed anything.

Ms. Alexis Ledford addressed homebuyer issues and FHA Loans. She continued that all the mortgage loan companies right now are requiring certificate of occupancy, which would be what the inspections program would provide, or a home warranty. To get a home warranty the builder has to be approved and bonded and the warranty is purchased by the builder for the new home and the house is covered by this warranty for 10 years. The first year, the builder is responsible to go back and fix any issues, the other 9 years the homeowner will call it in and pay \$75.00 for someone to come out and fix it. She stated that it would be better to just get a warranty and she did not see why we had to have the building inspection plan.

Mr. Clayton Thomason asked Ms. Ledford if all the different loans she spoke of had different requirements.

Ms. Ledford responded that they did.

Mr. Dave Davis spoke again stating that what Ms. Ledford said was correct and that 98% of homes are bought with a mortgage and all mortgage companies require a home inspection which causes no burden on the taxpayer. He stated it would be double taxation if the board approves the program.

Mr. Randy Porter asked if the inspection program would be in-house or outsourced.

Chairman Bridges allowed Dir. DeLozier to elaborate.

Dir. DeLozier stated that they would be using Bureau Veritas and that they have a high level of established expertise and work with



You Are Why We Are Here

several local municipalities in the surrounding area. He also noted that while we would be using this company to get started, control would still be managed at the county level.

Mr. Porter asked about potential issues of failing inspections and abuse of power from inspectors. He also asked how many houses were being built in Franklin County per year.

Dir. DeLozier stated that he had received 80 permits so far this year and out of those 40 were for new home construction.

Mr. Porter asked what Bureau Veritas would be charging the county and questioned if the county was building enough to justify this program with outsiders. He also stated that he felt taxed to death and worried this would be more taxes added.

Dir. DeLozier explained this program is tax budget neutral and does not affect the taxpayer. It would be a profit-sharing project where the permitting fee is paid by the homeowner up front and the money is used to cover the cost of the inspection. If there are no inspections, we owe Bureau Veritas nothing.

Mr. Porter asked about how many inspections would be required.

Dir. DeLozier stated it would need to be inspected for all standard MEP's – mechanical, electrical, and plumbing. He also noted that Bureau Veritas will have one person dedicated to Franklin County and if they are out, they have a fully trained and qualified team to step in as backup. All calls received by 2 pm should be handled the next business day and the county can cancel the contract at any time if they find it is not working out.

Mr. Porter asked if the inspectors would be held responsible if something is done the wrong way and stated the county isn't responsible.

Dir. DeLozier stated currently no one is responsible either and this program would be a safety measure to help prevent against subpar building.

Mr. Marvin Smith stated he would like to see inspections done in-house. He listed off all of the surrounding cities/counties that have their inspections programs in-house and asked why Franklin County was having to outsource.

Chairman Bridges stated that we had addressed this item a few



You Are Why We Are Here

times but asked Dir. DeLozier to provide more information.

Dir. DeLozier stated that program will be a learning curve for everyone involved as Franklin County is just starting out. Bureau Veritas is an experienced, knowledgeable group that has been doing this a while. Using Bureau Veritas will eliminate any small-town favoritism and will ensure that things are being done in a timely and efficient manner. Franklin County currently doesn't have the capability to do this in house and if the county chose to do so, we would have to add that burden to the taxpayers to pay for it. If the county finds out that Bureau Veritas is not the fit for us, we retain the right to cancel the contract at any time.

Mr. Smith asked if Dir. DeLozier had reached out to these surrounding communities he mentioned earlier that do their inspections in-house to see how they were able to make it work.

Dir. DeLozier stated he had spoken to communities that had used third party sources for their inspections program.

Chairman Bridges explained that this option was not going to burden the taxpayers and using Bureau Veritas cost the county zero dollars since the permit fees covered the cost of the inspection and is split with them. He noted the staff of Bureau Veritas is already fully trained and certified and it would cost the county a tremendous amount of money to go through the process of hiring and training someone. This is a startup for the county and we will have the control to cancel if they are not following through.

Mr. Smith posed the question if the county marshal could fill this role.

Chairman Bridges stated down the road that could be a possibility but the county has not yet found a new marshal.

Commissioner Swails explained that this has been a process of research and development over the past several years and this was not a decision they had just pulled out of a hat. He stated that prior to Dir. DeLozier coming on board they had spoken to Stephens County and others. We knew jumping into this it would be far more expensive to go in-house, even with the marshal situation versus using an established company. The number of homes being built fluctuates, some months there are a lot & some months there are very little. We wanted to choose an option that wouldn't affect everyone, whether or not they were buying a house and we wanted to make this affordable. He stated he completely



You Are Why We Are Here

understood where Mr. Smith was coming from and hoped that down the road, they could eventually have a full-time person.

Mr. Smith asked how much the split was.

Dir. DeLozier stated it was an 80-20 split, with the county receiving 20% and 80% going to Bureau Veritas.

Mr. Hal Chitwood of Bureau Veritas noted that their headquarters are located in Florida, but he manages Georgia's operations.

Mr. Smith stated he was required by state law to have a builder's license and be insured. He asked if all builders that come on site to work will be checked for these things. He also asked about remodeling situations, and about how the inspections process may evolve.

Dir. DeLozier stated builders would be checked as part of the initial permitting process and if it is a remodel not changing the square footage, it would not require an inspection, but if the houses footprint changed such as with an add-on, only the add-on portion would need to be inspected. He also stated that this would be an evolving process and all changes would have to go through county processes and approval.

Mr. Smith restated his stance that he thought it should be kept in-house.

Mr. Dave Davis stated in a perfect world you would get rid of the agency if it wasn't working. He recounted personal experiences of inspectors having a bad attitude and having an inspector tell him to sign off on his own work. He warned the board that complaint calls would be coming in with this new program.

Ms. Alexis Ledford noted that the county had been working on this for years and this was the 3rd public hearing this year, but in her opinion, it appears that the information provided was only one-sided. She asked how the board obtained opinions and if they contacted any local real-estate agents, or brokers.

Commissioner Swails asked if she used to be a real estate broker because she seemed to know a little bit about the process.

Ms. Ledford stated she used to be a real estate broker.

Commissioner Swails addressed the construction warranty which



You Are Why We Are Here

lasts for 10 years and the downside is that the homeowner is purchasing a warranty for a substandard product that has not been looked at to see if it was build properly. He stated that people don't stay in homes forever and the average is around 7 years, but eventually this home will be passed on to someone else and if there are problems, they will have to deal with them. He added that it is nice that those programs exist to help people get homes, but what is someone really getting after 10 years? It may give peace of mind for 10 years, but what about after that.

Ms. Ledford asked if they had talked to any FHA lenders.

Commissioner Swails stated he had personally talked to many realtors and is on the Georgia Upstate Board of Realtors. They are in favor of an inspections program, because some lenders can't even get that warranty since there are certain elements that have to be met to qualify. For unlicensed builders this is an issue because they may meet standards but don't have the certificate to meet the qualifications to get that warranty.

Ms. Ledford stated that was untrue and since she had retired from real estate, she had been working for an unlicensed builder who is bonded.

Commissioner Swails stated he gets emails weekly from lenders with deals that fell through due to the builder not being qualified.

Ms. Ledford stated that they should be pre-approved and detailed her employer's current bonding process.

Commissioner Swails stated he would be happy to discuss this further with Ms. Ledford after the meeting.

Ms. Ledford agreed and stated that she knew Scott had organized this upcoming meeting for training purposes. She expressed her wishes that the board attend and vote after this meeting so they could go through all 60 pages and discuss the nitty-gritty of the proposal. She asked if it passed tonight would it be August 1st as the start date.

Dir. DeLozier stated he pushed it back to September 1st.

Commissioner Franklin stated everyone gets those calls about home warranties and how anyone building their own home could go and get an inspection. In his opinion, Franklin County is not ready for this, nor the future generations. He stated he has no



You Are Why We Are Here

issue with individuals hiring their own inspectors, but he did not believe the county should be involved.

Ms. Daley Porter stated that in her opinion if a home owner or builder wants to have an inspection done, that's great, but someone who feels confident in their builder and home construction should not be required to have one. She stated personally as a buyer she would not trust our inspector and would hire her own.

Chairman Bridges thanked everyone for speaking and coming to the meeting. He mentioned that there are individuals that want to come to Franklin County to retire but it is not fair to the retirees that come to the area and end up having to spend all their money to repair their home. He was referencing the email he had received and discussed in the previous meeting. He also stated he understood the other opinions discussed, but noted that the county needed to make sure that the houses being built here are safe to live in. Bad builders look for areas that don't have inspections programs, but good builders will not have an issue with inspections. He noted there were several good builders in the audience that he would trust with his own home, but he warned that not everyone is like that where they could be trusted. He also mentioned how the board was trying to be mindful of the cost associated and make sure this program would not be burdensome on the taxpayer.

Mr. Marvin Smith stated that it would've been better to present that first that the idea of the program would've been better received.

Chairman Bridges explained it had been stated several times at previous meetings.



You Are Why We Are Here

*There were no additional comments or questions on the public hearing items.
Chairman Bridges closed the public hearing at 6:22 p.m.*

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