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State to implement new building inspection regulations

A regularly-scheduled meeting of the Ellis County Commissioners' Court on Monday, May 12, opened with a presentation by Paul Cauduro, director of government relations for the Home Builders Association of Greater Dallas and Ellis Counties about new building inspection regulations from the Texas Residential Construction Commission (TRCC).

"I want to give you a quick presentation regarding how code inspections are going to be implemented in the unincorporated areas of Texas beginning September 1," Cauduro said. "House Bill 1038 gave the TRCC additional authority, including the authority to require inspection in homes."

Under the new State regulation, the home builder will be required to hire a qualified inspector and inspections must be done at the foundation stage, prior to pouring of concrete; at the framing stage, before installation of insulation or wallboard; and at substantial completion of the project. The builder will then need to furnish the TRCC with evidence of these inspections. Management of the program will be funded by fees collected by the TRCC.

"The TRCC already requires builders to be registered and each project to be registered," said Cauduro. "We believe (the new system) will enhance the quality of life in the unincorporated areas of Texas."

Cauduro added that inspection does not ensure quality, but it does ensure that residential structures are built according to code – and codes are in place to enhance life safety.

"We still have lingering issues – one is to make sure builders are aware," he concluded. "The last issue is can there be a ready supply of inspectors to meet the demand. Municipal inspectors may hang out a shingle and do inspections on the weekend."

Cauduro said that members of the Home Builders Association fully support the new regulations.

"Economically speaking, there is a big value to us to support quality builders that draw down quality individuals into our community," said County Judge Chad Adams. "We appreciate your organization that regularly continues to support custom building throughout the County."

Cauduro indicated he will return to the Commissioners' Court next year to update them on how the process has worked, how other counties are dealing with the changes, and other issues that may arise.

On a similar note, Department of Development Director Delton Ake gave a short presentation on environmental issues facing the County.

"With the tremendous growth that the northern half of the County is undergoing, it does pose some concerns and problems," Ake said. "Each of you is well aware of these. The County has some good requirements regulating growth in the County – it is based on health and it is based on safety."

Ake showed the Court a short slide show depicting a number of instances of nuisance code violations, including septic system failures.

“Raw sewage is not a pretty sight, and I do not want to present it to you right before lunch,” Ake quipped. “These are actual pictures and all are taken right here in Ellis County.”

The septic system failures are due in part to the type of soil that is prevalent in the County, requiring installation by qualified and experienced technicians.

“People are self installing their septic systems, maybe someone has convinced them that they know what they are doing, and we wind up with a lot of problems,” Ake said. “The department has taken a lot of corrective actions. This happens. We ask you and your people to help us locate these things and correct them.”

According to Ake, the Department of Development issues approximately 820 septic system permits per year. Each system must be covered by a maintenance and inspection contract, which is tracked via computer in the Department.

“Unfortunately, the figures are that around 150 a month we have to process through a justice court to get people to comply with the State Law,” said Ake. “The District Attorney’s office works very closely with us – they have basically assigned an individual that works with us on that.”

Citizens are encouraged to report septic system failures to the Department of Development at 972-825-5200, with Ake noting that it is not necessary for callers to give their names.

A third presentation was made by Mark Arnold of the Texas Agri-Life Extension Service, who presented Continuing Education Certificates to Commissioners Dennis Robinson, pct. 1; Heath Sims, pct. 3; and Ron Brown, pct. 4.

“It is a real pleasure, and I appreciate the opportunity to come before you to talk a little and present the certificates,” Arnold said. “The VG Young Institute was created in 1969 by the Texas Legislature and is part of the Agri-Life Extension Service and the Texas A&M system. It works to meet the education needs of County officials.”

In other business, Commissioners:

- Authorized payment in the amount of \$544.37 to Jimmy Lee Harvey, Jr. for towing charges which were incurred as a result of an alleged wrongful arrest;
- Approved settlement in Cause No. 75,482, Ellis County, Texas v. Barbara Parsons and Stephen Parsons, Individually and d/b/a BMP Auto in the 40th Judicial District Court;
- Authorized the Ellis County and District Attorney to enter into non-binding arbitration with the City of Midlothian against Kehe Food Distributors, Inc. to attempt to resolve legal action concerning Kehe’s breach of a tax abatement agreement;
- Authorized payment up to \$350 to Ramiro Martinez for repairs to a dwelling which was allegedly damaged by an employee of the Sheriff’s Department during the course of his employment;
- Approved an addendum to the Master Service Agreement with Government Service Automation, Inc. adding two users;
- Took no action on an interlocal agreement with the City of Ovilla for road construction and maintenance;
- Approved a replat in precinct 1;
- Took no action on a final plat for Rockett Ranch in pct. 1;
- Declared two lots of outdated law books as surplus and approved their disposal at auction or via sealed bids;

- Approved the renewal of the County Liability and Hazard Insurance with Trident Insurance Company using Hibbs-Hallmark as representative.