

**RICHLAND COUNTY COUNCIL
DEVELOPMENT & SERVICES COMMITTEE
DECEMBER 12, 2000
5:00 P.M.**

PRESENT: Bernice G. Scott, Chair; Buddy Meetze; Susan Brill; Greg Pearce; Thelma Tillis

OTHERS PRESENT: T. Cary McSwain, Amelia Linder, Tony Holden, Tony Mizzell, Michielle Cannon-Finch, Milton Pope, Tony McDonald, Ralph Pearson, Jim Prater, Jim Tuten, Stephen F. Morris, Paul Livingston, Buddy Langley, Pam Davis, Ash Miller, Joseph McEachern, Kit Smith, Marsheika Martin

CALL TO ORDER

The meeting was called to order at approximately 5:02 p.m.

APPROVAL OF MINUTES – November 28, 2000

Mr. Meetze moved, seconded by Mr. Pearce, to approve the minutes. The vote in favor was unanimous.

ADOPTION OF AGENDA

Ms. Tillis moved, seconded by Ms. Brill, to adopt the agenda as submitted. The vote in favor was unanimous.

ITEMS FOR ACTION

Greenleaf Drainage Project

Mr. McSwain stated this project was presented to Council previously and Council is requested to de-obligate this project out of the bonds with a resolution; and if anytime in the future, it could be worked out, it will be placed back on the project list. He stated neighbors couldn't come together in an agreement regarding this project.

Ms. Brill requested for legal staff to contact Mr. Harvey with more technical information.

Mr. Pearce moved, and it was seconded, to defer this to full Council without recommendation. The vote in favor was unanimous.

Ms. Scott requested staff to notify the community of the dispute.

Participation in Southeast High Speed Rail Study

Ms. Brill moved, seconded by Mr. Meetze, to approve a budget amendment in the amount of \$7,500.00 to help fund an economic impact study to convince Congress and Amtrak to consider the Southeast as the next area for high-speed rail travel. The vote in favor was unanimous.

ITEMS PENDING ANALYSIS

Amendment to the Richland County Code: Storm Water Management (Pending Legal Opinion)

Mr. McSwain stated this item is pending legal opinion.

Citizen Complaints about Genesis Cable Company

Mr. McSwain reported there was no further status on this.

ITEMS FOR INFORMATION/DISCUSSION

There are no items for information or discussion

ADJOURNMENT

It was moved and seconded to adjourn the meeting at approximately 5:10 p.m.

Submitted by,

Bernice G. Scott
Chair

The minutes were transcribed by Marsheika G. Martin

Richland County Council Request of Action

Subject: Tracked Loader for Public Works

A. Purpose

County Council's consideration of the purchase of a track loader for the Road Maintenance Division of Public Works is requested.

B. Background / Discussion

In the fiscal year 2000/2001 Public Works budget, funds were approved for the purchase of one (1) track loader under line item 3020.5314. The Procurement Department received bids on December 14, 2000. Following is a tabulation of the bids meeting the minimum specifications:

	S.C. Tractor	Blanchard	Budget
Price	\$146,459.00	\$137,674.00	
Tax	\$300.00	\$300.00	
Total	\$146,759.00	\$137,974.00	\$143,485.00

The track loader is intended to replace a 1986 Fiat-Allis FL5 track loader that is 8 years out of its life cycle. All major repairs are non-contract under our fleet maintenance agreement with First Vehicle Services.

Mitchell Distributing Company also submitted a bid of \$114,088.00. Their machine, however, does not meet the minimum specifications with regard to a wet sleeve engine, hydrostatic drive or a multipurpose bucket. Their bid was, consequently, deemed unresponsive and rejected.

C. Financial Impact

As shown above, the total purchase price is \$5,511.00 under budget.

D. Alternatives

1. Accept the low responsive bid

Under this alternative, the bid of Blanchard Machinery would be accepted.

2. Reject all bids

This is not considered a realistic alternative in that the bids were submitted in good faith in response to the County's solicitation and the low bid is within budget.

E. Recommendation

Alternative 1 is recommended.

Recommended by: Ralph B. Pearson, P.E. Department: Public Works Date: 1/8/01

F. Approvals

Finance

Approved by: Darren P. Gore

Date: 01/08/01

Comments: Approved as per budget.

Procurement

Approved by: Rodolfo A. Callwood

Date: January 8, 2001

Comments: Low bidder approved, item solicited under bid 015-B-01

Legal

Approved as to form by: Amelia R. Linder

Date: 01/09/01

Comments:

Administration

Approved by: Tony McDonald

Date: 1/9/01

Comments: Recommend approval of low bid, in the amount of \$137,974, submitted by Blanchard Machinery, for the purchase of a track loader for the Public Works Department. Funds have been included in the Public Works budget for FY 2000-01; no additional funding is required.

Richland County Council Request of Action

Subject: Change Order in Solid Waste Collectors' Contracts

A. Purpose

The three solid waste collectors for Richland County are requesting that Council consider increasing their contract amounts due to rising fuel costs.

B. Background / Discussion

Richland County currently has three (3) solid waste collectors serving its seven (7) collection areas. All three collectors have just entered the 2nd year of their 5-year contracts with the County. Even though the County very specifically emphasized the need for the contractors to consider rising fuel costs when submitting their bids in 1999, the contractors are now claiming that they could not foresee the amount by which fuel costs have increased.

The three contractors are asking for the following increases in their total contract price due to rising fuel costs, which is estimated to be from approximately as low as \$1.00 per gallon to as high as \$1.60 per gallon during the 1st year of the contract period:

Cloud's Sanitation – 25%
Whitaker Container – 15%
Southland Sanitation – 8%

C. Financial Impacts

The amount of the requests and the financial impact to the County if it approved these requests would be as follows:

Collector	Collection Area	Requested Increase	Price Bid (1 Year Only)	Total Annual Increase
Cloud's Sanitation	1	25%	\$1,040,911.20	\$260,227.80
	4	25%	\$744,645.96	\$186,161.49
	5	25%	\$1,628,959.32	\$407,239.83
	7	25%	\$740,375.86	\$185,093.96
Whitaker Container	2	15%	\$332,337.62	\$49,850.64
	3	15%	\$323,754.53	\$48,563.18
Southland Sanitation	6	8%	\$1,026,179.42	\$82,094.35
Total			\$5,837,163.91	\$1,219,231.26

D. Alternatives

1. Approve the request to increase the solid waste collection contracts.
2. Do not approve the request to increase the solid waste collection contracts.
3. Approve an increase for an amount less than requested.

E. Recommendation

While it is clear that the rising fuel costs over the last year may have been a burden to the County’s solid waste collectors, it is also clear that the County emphasized to the contractors that they must consider rising fuel costs when submitting their bids. Therefore, staff recommends that if Council agrees to any increase in the solid waste collection contracts, that it be less than the amount requested, directly related to actual fluctuations in fuel costs, and have a cap. Staff recommends that each contractor receive a 1% increase/decrease in the total contract amount for every \$0.10 increase/decrease in the per gallon price for fuel, up to an 8% total increase, and that the fuel cost be reviewed and adjusted every six months. The base price for fuel, and the price on which any increase would be based, is \$1.00 per gallon. This was the average price at the time the contracts were originally awarded. By this standard, if fuel costs decline, so would the County’s costs. The standard for fuel costs used by the County would be based on the US Dept. of Energy’s Fuel Price Scale. Increases would not be retroactive.

As an example, if fuel costs were determined to be \$1.50 per gallon, the annual additional costs to the County would be 5%, or \$291,858.20. The maximum increase of 8% would equal \$466,973.11 annually. Compared to the requested increase of over \$1.2 million, this option is more favorable.

It is recommended that Council approve an increase of 1% for each contract for every \$0.10 increase in fuel costs, based on the US Dept. of Energy’s Fuel Price Scale, up to a maximum of 8%.

Recommended by: Tony McDonald Department: Administration Date: 1/10/01

F. Approvals

Finance

Approved by: Darren P. Gore Date: 01/10/00

Comments: This will require a budget amendment. Consideration should be given to the overall impact to the Enterprise fund balance.

Procurement

Approved by: Rodolfo A. Callwood Date: 01/10/01

Comments: That any approval of increase should be for consumption by vehicles inspected and approved for use by the County in accordance with the vehicle requirement terms and conditions of the contract.

Legal

Approved as to form by: Amelia R. Linder Date: 01/11/01

Comments:

Administration

Approved by: Tony McDonald Date: 01/16/01

Comments: It is recommended that Council approve an increase (or decrease) of 1% for each contract for every \$0.10 increase (or decrease) in fuel costs, based on the US Dept. of Energy’s Fuel Price Scale, up to a maximum of 8%.

Richland County Council Request of Action

Subject: Resolution

A. Purpose

Richland County Council is asked to approve a resolution to rescind a resolution approved on January 2, 2001, by which the County relinquished any interest it had in Robertson Creek Road.

B. Background / Discussion

In December 1999, Richland County received a petition from the residents of Robertson Creek Road for the County to relinquish any interest in had in the road. Therefore, On February 1, 2000, the Richland County Development and Services Committee considered the request for a quit-claim deed and recommended first reading approval to the full Council.

Council gave first reading approval on the same evening. However, second reading, which was scheduled for February 15, 2000, was deferred. In addition, it was determined that a resolution would be more appropriate for the action, rather than a quit-claim deed. The item did not come back to Council until January 2, 2001, as a resolution. This delay was due to a lawsuit that eventually was dropped at the request of both parties.

The resolution approved on January 2, 2001 included the language, "Whereas, all property owners along Robertson Creek Road have petitioned the Richland County Council to relinquish any and all property rights, including the right of easement..." However, following the approval, one property owner on the road claimed that he had a survey that showed he had ownership interest in Robertson Creek Road and had not signed the petition.

Therefore, Council is asked to approve a resolution to rescind the January 2, 2001 resolution stated as follows:

***A RESOLUTION TO RESCIND THE JANUARY 2, 2001 RESOLUTION
THAT VACATED RICHLAND COUNTY'S PROPERTY INTEREST IN
ROBERTSON CREEK ROAD***

WHEREAS, on January 2, 2001, the Richland County Council adopted a Resolution that relinquished any and all property rights, including the right of easement, Richland County may have had in and to Robertson Creek Road; and

WHEREAS, the Richland County Council adopted the January 2, 2001 Resolution based on their belief that all property owners along Robertson Creek Road had petitioned the County Council to relinquish the County's property interests in and to said road; and

WHEREAS, Richland County has maintained Robertson Creek Road for ten or more years and this maintenance constitutes an ownership interest by the County for a prescriptive easement for maintenance of the road; and

WHEREAS, Robertson Creek Road provides the only access to at least one property owner on Robertson Creek Road who did not sign the petition referred to in the January 2, 2001 resolution, and who by survey, has demonstrated partial ownership of the road; and

WHEREAS, Richland County Council, by practice and custom, does not abandon maintenance of a road without the consent of all property owners; and

WHEREAS, the Richland County Council wishes to rescind the January 2, 2001 Resolution in its entirety;

NOW, THEREFORE, BE IT RESOLVED that the Richland County Council hereby rescinds, in its entirety, the January 2, 2001 Resolution that vacated any and all property interest Richland County may have had in and to Robertson Creek Road.

C. Financial Impact

There are no financial impacts associated with this request

D. Alternatives

1. Approve the resolution
2. Do not approve

E. Recommendation

It is recommended that Council approve the resolution to rescind the January 2, 2001 resolution, which relinquished any interest the County had in Robertson Creek Road.

Recommended by: Kit Smith, Richland County Council

Date: 1/17/01