

**RICHLAND COUNTY COUNCIL
DEVELOPMENT & SERVICES COMMITTEE
TUESDAY, FEBRUARY 27, 2001
5:00 P.M.**

MEMBERS PRESENT: Bernice G. Scott, Chair; J.D. "Buddy" Meetze; L. Gregory Pearce, Jr., Susan Brill; Thelma Tillis

OTHERS PRESENT: Joseph McEachern, Paul Livingston, Anthony G. Mizzell, Joan Brady, James Tuten, Kit Smith, Randy Jorgenson, Amelia Linder, T. Cary McSwain, Milton Pope, Tony McDonald, Ash Miller, Mullen Taylor, Pam Davis, Stephany Snowden, Marsheika Martin, Michielle Cannon-Finch, Ralph Pearson, Jocelyn Jennings, John Hicks, Darren Gore

CALL TO ORDER

The meeting was called to order at approximately 5:05 p.m.

Ms. Brill introduced Mr. Scott McGee, a potential Eagle Scout, and his grandfather in the audience.

APPROVAL OF MINUTES

January 23, 2001: Regular Session Meeting

Ms. Brill moved, seconded by Ms. Tillis, to approve the minutes. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pearce moved, seconded by Ms. Brill, to remove the Storm Water Ordinance from the agenda as it will be discussed at the March 20th Council meeting. The vote in favor was unanimous.

Ms. Scott questioned the Local Governments to discuss Columbia Venture being on the agenda. She requested a meeting with all entities to discuss different issues. She stated this would be discussed when we get to the item on the agenda.

Mr. Pearce moved, seconded by Ms. Tillis, to adopt the agenda as amended. The vote in favor was unanimous.

ITEMS FOR ACTION

Ordinance Amendment: Increase in Code Violation Penalty

Mr. McSwain stated this is an ordinance that would increase the maximum code violation penalty from \$200.00 to \$500.00.

Ms. Brill moved, seconded by Ms. Tillis, to approve this item and forward to full Council. The vote in favor was unanimous.

ITEMS PENDING ANALYSIS

Greenleaf Drainage Project

Mr. McSwain stated this item is pending awaiting a report from Ms. Brady who is contacting the parties involved for a compromise.

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Ms. Brady stated the parties are moving closer to a compromise. She stated Mr. Ralph Pearson is currently working on a study of a compromise project. She requested for this item to be deferred a while longer.

ITEMS FOR INFORMATION/DISCUSSION

Ridgewood Community Initiative (Councilman Paul Livingston, by motion, 2/6/01 Council Mtg)

Mr. Livingston stated he has met a few times with the Ridgewood Community Foundation and the Ridgewood Neighborhood Association. He stated a list has been developed of various individuals and agencies that should be involved in the process of improving the neighborhood. Mr. Livingston stated a date would be set up for a Community Meeting to discuss different concerns and issues in order for a comprehensive plan to be developed for improvements to the neighborhood.

Mr. McSwain stated this was a very strong neighborhood at one time. He stated the County has focused its services on the neighborhood with the help of different agencies within the County.

Meeting with Local Governments to discuss Columbia Venture (Councilwoman Bernice Scott, by motion, 2/6/01 Council Mtg.)

A discussion took place regarding whether or not a meeting should be set up with different entities.

Ms. Scott requested for Council to take the recommendations of the letter received from Columbia Venture and set up a meeting with Columbia Venture and the Richland School District I with an open agenda and later meet with the other entities involved.

Mr. Meetze moved, seconded by Ms. Tillis, to set a meeting with all involved parties to discuss the Columbia Venture development.

Ms. Brady requested an analysis of earthquakes as it relates to the dam.

Mr. Meetze directed staff not to place anything in his hands without technical language and engineering calculations.

The vote in favor of the motion was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 5:50 p.m.

Submitted by,

Bernice G. Scott
Chair

The minutes were transcribed by Marsheika G. Martin

Richland County Council Request of Action

Subject: Change Order for Construction Contract

A. Purpose

The purpose of this report is to seek County Council's approval for a change order to the construction contract to relocate sewer lines at the intersection of highways US 176 and I-26 for additional work to avoid unanticipated existing utility lines and an excessive amount of rock excavation.

B. Background/Discussion

The South Carolina Department of Transportation (DOT) has undertaken a project to modify the intersection of highways US 176 and I-26. Richland County Utilities has several sanitary sewer lines in this area which must be relocated to avoid conflict with the proposed new highway structures. DOT has agreed to pay up to \$285,752.00 to the County to have the sewer lines relocated.

In November 2000, The County entered into a contract with Wiley Easton Construction Co. in the amount of \$128,990.00 for the relocation of these sewer lines. During the construction process, the contractor encountered an existing water line that required a significant modification to the system being constructed to avoid conflicts. Also, substantially more rock that required blasting was encountered than was originally anticipated.

C. Financial Impact

The DOT has agreed to reimburse the County up to \$ 285,752.00 for the relocation of the sewer lines. The engineering fees for this project are approximately \$ 22,250.00. The original construction contract amount was \$ 128,990.00. The requested change order total is \$ 93,377.00. This addition will bring the contract amount to \$ 225,367.00 and the total project cost to \$ 247,617.00. This amount is well within the amount to be funded by the DOT. No additional funds will be required. The project is approaching completion.

D. Alternatives

1. Approve the change order.
2. Do not approve the change order.

E. Recommendation

It is recommended that County Council approve the change order in the amount of \$ 93,377.00, to the Wiley Easton Construction Co. contract with the funds to cover these expenses to come from the DOT.

Recommended by: Andy H. Metts Department: Utilities & Services Date 3/7/01

F. Approvals

Finance

Approved by: Darren P. Gore

Date: 03/08/01

Comments:

Procurement

Approved by: Rodolfo A. Callwood

Date: March 8, 2001

Comments:

Legal

Approved as to form by: Amelia R. Linder

Date: 3/12/01

Comments:

Administration

Approved by: Tony McDonald

Date: 3/12/01

Comments: Recommend approval of the change order, in the amount of \$ 93,377, to the Wiley Easton Construction Company contract, with the funds to cover these expenses to come from the State Department of Transportation.

Richland County Council Request of Action

Subject: Easement for SCE&G

A. Purpose:

The purpose of this report is to request County Council's consideration of an easement allowing SCE&G to place a gas pressure regulating station on the County's property at Ballentine.

B. Background / Discussion

The SCE&G gas division has expressed interest in acquiring an easement for installation of a gas regulating station on the Public Works Compound at Ballentine. The easement requested is located at the southeast corner of the property adjacent to Bickley Road and the entrance drive and contains 169.38 square feet (Approximately 11'X15'). The entire easement would be located outside of the fence enclosing the County's property and would offer no impediment to Public Works' operations there. This office, therefore, has no objection to the establishment of the easement and pressure reducing station at this location.

The ordinance granting the easement would read as follows:

Pursuant to the authority by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant an easement right-of-way upon and across land located and situate on Bickley Road, County of Richland, State of South Carolina, as specifically described in the Easement Indenture and on the plat, copies of which are attached hereto and incorporated herein.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2001.

C. Financial Impact

There is no financial impact on Richland County. All costs would be born by SCE&G.

D. Alternatives

The alternatives available are:

1. Grant the easement as requested - If County Council concurs, the easement document should be executed on behalf of Richland County and returned to this office. It will then be forwarded to the appropriate office at SCE&G.
2. Deny the easement request

E. Recommendation

Alternative 1 is recommended.

Recommended By: Ralph B. Pearson, P.E. Department: Public Works Date:
2/22/01

F. Approvals

Finance

Approved by: Darren P. Gore Date: 02/26/01
Comments:

Legal

Approved as to form by: Amelia R. Linder Date: 03/08/01
Comments: An ordinance is needed to grant the easement to SCE&G (3 readings and a public hearing).

Administration

Approved by: Tony McDonald Date: 3/8/01
Comments: Recommend approval of granting an easement to SCE&G for the installation of a gas regulating station on the Public Works Compound at Ballentine. There will be no cost to Richland County associated with the easement.

Richland County Council Request of Action

Subject: Quit Claim Deeds

A. Purpose:

County Council is requested to consider approval of quit-claim deeds for a road right-of-way located on the east side of Spears Creek Church Road in Northeast Richland County.

B. Background / Discussion

The right-of-way in question was dedicated to Richland County in 1962 by deed of W. Lucas Lafaye and Guy M. Tarrant, Jr. which is recorded in the RMC office of Richland County in deed book 374 at page 242. It is shown in the northeast corner of PMS 25700. This right-of-way was intended to provide public road frontage to tracts of land now owned by W. Lucas Lafaye, Jr, Gail L. Bunch and Guy M. Tarrant, Jr. No road was ever built on the right-of-way and it has never been utilized for public road purposes. This office anticipates no need for the right-of-way in the future.

The property surrounding the above mentioned tracts and the subject right-of-way is now being developed by Woodcreek Development Partnership and by The Ridge, LLC. The above mentioned property owners are selling their tracts to The Ridge, LLC. Since the existence of this right-of-way interferes with orderly development of the surrounding property, the attorneys for Mr. Lafaye, Mr. Tarrant and Ms. Bunch have submitted a request that the County quit-claim it's interest in the right-of-way to Woodcreek Development Partnership and The Ridge, LLC. The companies would receive 3.66 acres and 2.63 acres respectively. Quit-claim deeds for that purpose have been prepared. An ordinance will also be needed (see below)

Pursuant to the authority by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant two (2) quit claim deeds for certain portions of a right-of-way, located on the east side of Spears Creek Church Road in Northeast Richland County; one (1) deed to convey a portion of the right-of-way to Woodcreek Development Partnership and the other deed to convey a portion of the right-of-way to The Ridge, LLC, as specifically described in the attached deeds, which are incorporated herein.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2001.

C. Financial Impact

Section 21-9 (c) of the Richland County Code of Ordinances requires that the property owners involved in the abandonment of a dedicated easement pay fair market value for the property, as determined by the County Assessor’s Office. That office has appraised the property at \$200-\$500 per acre. The 6.29 acres involved, therefore, represents an approximate value of \$3,145.00.

D. Alternatives

The alternatives available to County Council are:

1. Deny the quit-claims
2. Approve the quit-claims - Although County ordinance specifies compensation at fair market value for abandoned road rights-of-way, County Council has not required it in recent quit-claim requests.

E. Recommendation

Alternative 2 is recommended. No recommendation is offered with regard to compensation.

Recommended By: Ralph B. Pearson, P.E.	Department: Public Works	Date:
2/20/01		

F. Approvals

Finance

Approved by: Darren P. Gore	Date: 03/08/01
Comments:	

Legal

Approved as to form by: Amelia R. Linder	Date: 03/14/01
Comments: This action requires an ordinance (3 readings and a public hearing).	

Administration

Approved by: Tony McDonald	Date: 3/14/01
Comments: Because Richland County has no plans to construct the road for which the right-of-way was originally deeded, it is recommended that the proposed quit-claim deed be approved. With respect to requiring the recipient of the quit-claim deed to compensate the County, the existing ordinance provides that the recipient “ shall ” pay the County fair market value. If the Council wishes to have more flexibility in these situations, it may want to consider amending the ordinance to provide that the County “ may ” require compensation, which would allow the Council to deal with each situation on a case-by-case basis.	