

RICHLAND COUNTY COUNCIL DEVELOPMENT & SERVICES COMMITTEE

Bernice G. Scott
District 10

Joyce Dickerson
District 2

Greg Pearce
District 6

Damon Jeter, Chair
District 3

Doris Corley
District 1

*July 25, 2006
5:00 PM*

**Richland County Council Chambers
County Administration Building
2020 Hampton Street**

Call to Order

Approval of Minutes – June 27, 2006: Regular Session Meeting [Pages 3 – 4]

Adoption of Agenda

I. Items for Action

A. Acceptance of Roads in Ashley Ridge Subdivision (Deferred on June 27, 2006)
[Pages 5 – 6]

B. Extension of Temporary Receivership Agreement for Operation of Franklin and Albene Park Water and Sewer Systems
[Pages 7 – 8]

C. Richland County Greenways Project: Phase II Funding Request (\$35,000)
[Pages 9 – 10]

D. Ordinance Authorizing a Quitclaim Deed for a 15' Right-of-Way on Bluff Oaks Road
[Pages 11 – 13]

E. Ordinance Authorizing a Quitclaim Deed for Purported Right-of-Way on Moon Rise Street
[Pages 14 – 16]

F. Proposed Amendment to the Richland County Road Paving Program to Permit Reordering of the Road Priority List
[Pages 17 – 23]

H. Endorsement of Richland County / City of Columbia City-County Steering Committee

[Pages 24 – 25]

I. Petition to Close a Portion of Joe Ballentine Road

[Pages 26 – 37]

J. Farmer's Market Easement

[Pages 38 – 39]

*This is a time sensitive issue that was received after the agenda deadline. This item has been added with the consent of the Chair of the Committee.

II. Items for Discussion / Information

There are no items for discussion/information.

III. Items Pending Analysis

A. Town of Eastover Sewer Collection System

B. Approval of Construction Contract for the Paving of 2.15 Miles of Dirt Roads in the North Paving Contract (Deferred on June 27, 2006)

Adjournment

Staffed by: Joe Cronin

**RICHLAND COUNTY COUNCIL
DEVELOPMENT AND SERVICES COMMITTEE**

June 27, 2006

5:00 PM



In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.

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Members Present:

Chair: Damon Jeter
Member: Bernice G. Scott
Member: Joyce Dickerson
Member: L. Gregory Pearce, Jr.

Absent: Doris M. Corley

Others Present: Joseph McEachern, Valerie Hutchinson, Paul Livingston, Michielle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Larry Smith, Amelia Linder, Monique Walters, Stephany Snowden, Kendall Johnson, Jennifer Dowden, Michael Criss, Susan Britt, Geo Price, Pam Davis, Jocelyn Jennings, Bill Peters, Michelle Onley

CALL TO ORDER

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

APPROVAL OF MINUTES

May 23, 2006 (Regular Session) – Ms. Scott moved, seconded by Ms. Dickerson, to approve the minutes as submitted. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pope stated that the GIS Update needed to be added under Items for Discussion/Information.

Ms. Scott moved, seconded by Ms. Dickerson, to add the GIS Update and approve the agenda as amended. The vote in favor was unanimous.

I. ITEMS FOR ACTION

Purchase of Replacement Vacuum Truck — Ms. Scott moved, seconded by Ms. Dickerson, to forward this item to the June 27th Special Called meeting. A discuss took place. The vote in favor was unanimous.

Acceptance of Roads in Ashley Ridge Subdivision – Ms. Dickerson moved, seconded by Ms. Scott, to forward this item to Council without a recommendation. A discussion took place.

Ms. Dickerson made a substitute motion, seconded by Ms. Scott, to hold this item in committee. The vote in favor was unanimous.

Approval of Construction Contract to Sloan Construction Company, Inc., for the 2006 Roadway Resurfacing Project – Ms. Scott moved, seconded by Ms. Dickerson, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

Approval of Construction Contract for Ridgewood Community Infrastructure Improvements Project – Mr. Pearce moved, seconded by Ms. Scott, to forward to Council with a recommendation for approval. The vote in favor was unanimous.

Approval of Construction Contract for the Paving of 2.15 Miles of Dirt Roads in the North Paving Contract – Ms. Scott moved, seconded by Mr. Pearce, to forward to Council with a recommendation for approval.

Mr. Pope stated that there was new information regarding this item and requested that this item be deferred until the July committee meeting. Ms. Scott withdrew her motion.

Ms. Scott moved, seconded by Mr. Pearce, to defer this item until the July committee meeting. The vote in favor was unanimous.

Ordinances to Prohibit the Parking of Vehicles in the Front Yard of any Property Zones RS-LD, RS-MD, or RS-HD – Ms. Dickerson moved, seconded by Ms. Scott, to forward this item to Council without a recommendation. A discussion took place. The vote in favor was unanimous.

II. ITEMS FOR DISCUSSION/INFORMATION

GIS Update – Mr. Pope recommended that a work session be scheduled in July to fully update Council on the GIS projects and a refresher on the ordinance Council passed regarding GIS.

III. ITEMS PENDING ANALYSIS

Town of Eastover Sewer Collection System – This item is still pending. There is a meeting scheduled for July 10th with the Town Administrator to try to resolve this issue. Ms. Scott will be bringing back a written report regarding this meeting.

ADJOURNMENT

The meeting adjourned at approximately 5:39 p.m.

Submitted by,

Damon Jeter
Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject: Acceptance of Roads in Ashley Ridge Subdivision

A. Purpose

The County Council is requested to consider the acceptance of the roads in Ashley Ridge Subdivision, Phase I, for ownership and maintenance by the County.

B. Background / Discussion

Phase I of the Ashley Ridge Subdivision, located in northeast Richland County, was constructed in 2000, with the subdivision roads being completed in July of that year. It appears to have been the intent of the developer, WRG Development Company, to turn the roads over to Richland County once completed, although the transfer never occurred. The bond that the developer purchased during the construction of the roads was released by the County upon completion of the road construction, but the roads were not accepted by the County due to deficiencies in construction. The roads, therefore, remain under the ownership of the developer.

The roads in Phase II of Ashley Ridge were completed in 2002 and were accepted by the County in that year, along with the storm drainage system in Phase II. The County, therefore, maintains the roads and storm drainage improvements in Phase II.

The residents of Phase I have recently renewed the effort to have the roads turned over to the County for ownership and maintenance. However, the deficiencies still exist, and County staff has been reluctant to accept the roads without having the developer make the repairs prior to the transfer. The developer, represented by Mr. Ronnie Flynn, has been approached on this matter by both the residents and County staff, but has failed to make the needed repairs to the roads.

It has been determined that the storm drainage infrastructure in the subdivision is also not in compliance with County standards. Unlike road compliance issues, the County has an enforcement mechanism for addressing non-compliant drainage systems. Accordingly, an enforcement letter has been sent to the developer allowing until **July 21** for corrective action on the drainage system. Fines will likely result if no corrective action has been taken by this date. **(Staff will provide members of Council with an update on the status of this issue at the D&S Committee meeting.)**

The drainage improvements, however, will still not address the road repairs and will not bring the roads to a condition where they meet County standards.

C. Financial Impact

The estimated cost of the road repairs is \$40,000. This, of course, could increase, depending on fuel and asphalt prices.

D. Alternatives

The following alternatives exist with respect to this issue:

1. Continue to pursue having the developer make the needed repairs so that the roads can be accepted by the County.
2. Accept the roads into the County system in their current condition, with the County providing the needed repairs. This alternative should be approached with caution since it would likely set a precedent as to how roads are handled in the future.
3. Have the community pursue this matter privately and work directly with the developer, who continues to own the roads and still has sole responsibility for their maintenance.
4. Take no action and let the roads remain in their current condition.

E. Recommendation

It is recommended that the County and the community continue to pursue having the developer make the needed repairs so that the roads can be accepted by the County (Alternative 1 above). In conjunction with this continued effort, the County will proceed with enforcement efforts relating to the storm drainage system.

Recommended by: Tony McDonald **Department:** Administration **Date:** 6/13/06

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 6/19/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Agree with Administration recommendation not to accept roads until all County standards are met.

Legal

Reviewed by: Amelia Linder

Date: 6/19/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Agree with Administration and Finance recommendations not to accept the roads until all County standards are met.

Administration

Reviewed by: Tony McDonald

Date: 6/23/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend that the County and the community continue to pursue having the developer make the needed repairs so that the roads can be accepted by the County (Alternative 1 above). In conjunction with this continued effort, the County will proceed with enforcement efforts relating to the storm drainage system.

Richland County Council Request of Action

Subject: Extension of Temporary Receivership Agreement for Operation of Franklin and Albene Park Water and Sewer Systems

A. Purpose

The purpose of this report is to request County Council approval to extend the “Temporary Receivership Agreement” for the operation of the Franklin Park water and sewer systems and the Albene Park water system.

B. Background / Discussion

In July 2005, County Council approved a temporary receivership agreement with the South Carolina DHEC under which the County’s Utility Department began operating the water and sewer systems in Franklin and Albene Parks. At the direction of County Council, this agreement was for a term of one year with the provision that Council would review the operation after the first year and make a decision on extending the agreement.

The Utilities Department staff has invested a considerable amount of time in improving the operation of these systems. The Office of Regulatory Staff provided a \$10,000.00 grant to upgrade several components of the systems. South Carolina DHEC has provided an additional \$30,000.00 to add a second well to the Franklin Park water system. That work is currently in progress. The systems are in much better condition than they were a year ago and are currently operating satisfactorily.

C. Financial Impact

Rates have been established that are sufficient to make these systems self supporting. Grant funds have covered the cost of all improvements made to the system. No additional funds should be required to continue operation of these systems.

D. Alternatives

1. Extend the temporary receivership agreement for an additional year.
2. Deny renewal of the agreement. This action will force DHEC to identify another operator for the systems.

E. Recommendation

It is recommended that County Council extend the temporary receivership agreement for an additional year.

Recommended by: Andy H. Metts **Department:** Utilities **Date:** 7/10/06

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 7/18/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation on continuation of the temporary agreement, however we would recommend a financial review be performed prior to acceptance of a permanent agreement. During this interim period the operation is being supported by a combination of grant funds and user fees. The current numbers suggest that exclusive of the grant funding, the system would require a rate increase to be self-supported.

Legal

Reviewed by: Amelia Linder

Date: 7/18/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Both alternatives appear to be legally sufficient; therefore, this request is at the discretion of County Council.

Administration

Reviewed by: Tony McDonald

Date: 7/21/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval of the extension of the temporary receivership agreement. Concur with the Finance Director's comments.

Richland County Council Request of Action

Subject: Funding Request for Phase II of the Richland County Greenways Project

A. Purpose

Council is requested to approve funding in the amount of \$35,000 for Phase II of the Richland County Greenways project.

B. Background / Discussion

During the April 25, 2006 meeting of the Development and Services Committee, Ken Driggers, Executive Director of the Palmetto Conservation Foundation, made a presentation to the committee regarding the Richland County Greenways project. Mr. Driggers was asked to return with a specific list of projects, costs, and locations associated with Phase II of the Greenways project.

There are five specific steps included as part of Phase II of the Greenways project. These include:

- **Develop a Master Greenways Map.** This master map will show the basic outline of how the Hub and Spoke system works and how different ideas and projects can work together to complete the system.
- **Identifying and Acquiring the Hubs** should begin. Large parcels of property are often difficult to locate and cost is always an issue.
- **Develop a Greenway Overlay District** for the Development Ordinance. Once this process is complete, recommendations for the first designations can commence.
- **Allocate \$100,000 to begin the Greenways Grant Program.** This targeted amount of money will be made available to groups to build facilities consistent with the goals of this program.
- Implement the first **five year master plan** for greenway development by beginning the grants program. This will start to formulate a structure for trail development and help guide the funding process.

C. Financial Impact

The financial impact associated with approving this funding request would be \$35,000. A funding source would need to be identified.

D. Alternatives

1. Approve the \$35,000 funding request to allow phase II of the Richland County Greenways project to begin. If approved, Council would need to identify a funding source.

2. Do not approve the funding request.

E. Recommendation

It is recommended that County Council approve the \$35,000 request.

Recommended by: Ken Driggers, Executive Director, Palmetto Conservation Foundation

Date: 7/10/06

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 7/17/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommendation is based on the financial impact section stating that no funding source has been identified. A budget amendment may be required based on the funding source selected. Funding for Phase One of the project was appropriated through the use of hospitality tax funds.

Legal

Reviewed by: Amelia Linder

Date: 7/18/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Both alternatives are legally sufficient; therefore, this request is at the discretion of County Council.

Administration

Reviewed by: Tony McDonald

Date: 7/20/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval, with funding to come from the Conservation Commission millage.

Richland County Council Request of Action

Subject: Quitclaim of Right –of–Way Acquired for Proposed Road Construction-Bluff Oaks Road South Contract

A. Purpose

County Council is requested to approve the execution of a quitclaim deed for a 15' wide portion of property that was obtained as Right-of-Way(R/W) for the proposed improvement/road paving project on Bluff Oaks Road. This road was to be part of the "South Paving" project.

B. Background / Discussion

As a standard operating procedure, the county does not typically condemn property needed for our Road paving program. We are quitclaiming the R/W, in this case, because no other property owners on this Road would agree to provide R/W needed for road construction. Therefore, the project could not go forward, and making this single portion of R/W obtained, along this road, unnecessary. The property owner and his attorney have strongly requested we divest ourselves of any interest we had in the property.

C. Financial Impact

Obviously, there will be no negative impact to our road construction "C" fund program. Obviously this may assist in constructing roads where they are wanted and may allow us to do some other roads, that we could not before, due to budget limitations.

There is no financial impact associated with this request.

D. Alternatives

5. Approve the request to quitclaim the 15' R/W obtained on the tract identified as TMS 16103-04-01 and further described in the attached Quitclaim Deed.
6. Do not approve and possibly incur legal action by the property owners attorney.

E. Recommendation

It is recommended that Council approve the request in Item C. 1, above.

Recommended by: Howard Boyd, PE **Department:** Public Works **Date:** 7/11/06

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 7/14/06

Recommend Council approval
Comments regarding recommendation:

Recommend Council denial

Legal

Reviewed by: Amelia Linder

Date: 7/18/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: A copy of the ordinance is attached. This action will require three readings and a public hearing.

Administration

Reviewed by: Tony McDonald

Date: 7/19/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-06HR

AN ORDINANCE AUTHORIZING QUIT-CLAIM DEED TO WARDELL WALLACE FOR A CERTAIN PORTION OF A RIGHT-OF-WAY KNOWN AS BLUFF OAKS ROAD, RICHLAND COUNTY.

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. For and in consideration of the sum of \$1.00, the County of Richland and its employees and agents are hereby authorized to grant a quit-claim deed for a certain portion of a right-of-way known as Bluff Oaks Road, Richland County, to Wardell Wallace, as specifically described in the attached quit claim deed, which is 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 _____, 2006.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2006.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading:
Second Reading:
Public Hearing:
Third reading:

Richland County Council Request of Action

Subject: Quitclaim of Purported Right-of-Way for Moon Rise Street

A. Purpose

County Council is requested to approve the execution of a quitclaim deed for a portion of property that is identified on the assessor's map as Moon Rise Street, yet the County has no recorded easement and does not maintain.

B. Background / Discussion

This was requested by an adjacent property owner who has presented a recordable plat that refutes the County assessor's maps and we are attempting to clarify this issue.

C. Financial Impact

Obviously, there will be no negative impact to our road maintenance program. Obviously this may assist in eliminating any future questions about our responsibilities. There is no financial impact associated with this request.

D. Alternatives

7. Approve the request to quitclaim the property identified as Moon Rise Street on the current assessors' map and further described in the attached Quitclaim Deed.
8. Do not approve and possibly incur legal action by the property owner's attorney.

E. Recommendation

It is recommended that Council approve the request in Item C. 1, above.

Recommended by: Howard Boyd, PE **Department:** Public Works **Date:** 7/11/06

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 7/14/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Amelia Linder

Date: 7/18/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: A copy of the ordinance is attached. This action will require three readings and a public hearing.

Administration

Reviewed by: Tony McDonald

Date: 7/18/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval since the County has no plans for use of this right-of-way.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-06HR

AN ORDINANCE AUTHORIZING QUIT-CLAIM DEED TO JERRY L. TUCKER FOR A CERTAIN TRACT OF LAND NOW OR FORMERLY KNOWN AS MOON RISE STREET, RICHLAND COUNTY.

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. For and in consideration of the sum of \$1.00, the County of Richland and its employees and agents are hereby authorized to grant a quit-claim deed for a certain tract of land now or formerly known as Moon Rise Street, Richland County, to Jerry L. Tucker, as specifically described in the attached quit claim deed, which is 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 _____, 2006.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2006.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading:
Second Reading:
Public Hearing:
Third reading:

Richland County Council Request of Action

Subject: Proposed Amendment to the Richland County Road Paving Program to Permit Reordering of the Priority List

A. Purpose

The purpose of this request is to clarify the County's current road paving program process.

B. Background / Discussion

Section 21-20 of the Richland County Code of Ordinances outlines the current road paving program. The ordinance sets forth a mathematical formula to establish the order in which roads will be paved. By some limited custom and practice, roads have been reordered at the request of Council members, but with no public notice and no guiding policies for staff. The current ordinance states,

- (a) Road construction and paving projects administered by the county and funded from public funds shall be accomplished in accordance with a consistent, systematic program established and administered by the director of public works. Such program shall have the following basic characteristics:
 - 1. Only county maintained roads will be paved utilizing public funds,
 - 2. All county maintained dirt roads are eligible for paving, and
 - 3. Paving will be accomplished in priority order at a rate permitted by availability of funding.
- (b) The county engineer will acquire and maintain the following data on all roads proposed for paving:
 - 1. Name;
 - 2. County road number;
 - 3. Map location code;
 - 4. Beginning and ending points;
 - 5. Length in miles and hundredths of a mile; and
 - 6. Council district
- (c) In addition, the following data pertaining to the roads priority for paving will be obtained and recorded for each road:
 - 1. Number of homes accessed from the road;
 - 2. Number of businesses accessed from the road;
 - 3. Number of churches accessed from the road;
 - 4. Maintenance difficulty factor.

For the purpose of determining the number of homes, business and churches accessed from the road, only those on parcels with no existing paved road frontage will be counted except when the distance from the paved road to the building exceeds 1320 feet.

(d) Roads will be prioritized in accordance with the following procedure:

A road's priority for paving will be established by the number of points accredited to it as described below divided by its length, with the highest total of points per mile constituting the highest priority. The points per mile (P) is calculated by the formula:

$$P = \frac{H+B+C+T+M}{L} \quad \text{Where:}$$

H=Number of points accredited for homes.

One point is accredited for each home accessed from the road. This will include mobile homes as well as permanent homes. It should be noted that the number of homes on a road is an indicator of the number of people using it as well as the importance of the road as a possible school bus route.

B=Number of points accredited for businesses.

Two points are accredited for each business accessed from the road. To be eligible for these points, a business must occupy a building separate from any residence and rely on the road for either customer traffic or routine use by company vehicles.

C=Number of points accredited for churches.

Two points are accredited for each church accessed from the road.

T=Number of points accredited for a through road.

Five points are accredited if the road is a through road connecting two different paved roads. It should be noted that a through road has the potential for people other than the residents to use it and it is also more likely to be utilized as a school bus route.

M=Number of points accredited for difficult maintenance.

From 0 to 10 points may be accredited to a road based on the difficulty on maintaining it in serviceable condition as determined through consultation with the roads and drainage manager.

L=Length of the road in miles and hundredths.

(e) A road's paving may be given top priority provided that all costs incurred by the county to pave it are paid by its adjacent property owners. Such costs may be included as an assessment on the tax bill of the property owners, to be paid over no more than a fifteen (15) year period with an interest charge equal to that paid by the county for bonds issued to fund construction. The county council may elect to have

the total costs, plus interest, of the improvements allocated between the property owners either by a front footage assessment ratio, or by each lot being assessed an equal share of the costs and interest. Establishment of this assessment shall require approval of eighty percent (80%) of the property owners.

- (f) Highways, streets or roads constructed or paved under the county's jurisdiction and maintained by the county shall meet the design and construction standards contained in section 21-6, above.
- (g) The director of public works shall, within the best judgment of the engineering staff, establish appropriate alternate design and construction standards for low volume rural roads as a means of ensuring maximum cost effectiveness of road paving funds.
- (h) Road paving funds will be distributed by county council district based on that district's portion of total county dirt road mileage. Pro rata fund distribution will be calculated as follows:

$$\text{District dirt road paving funds} = \frac{\text{Total dirt road paving funds} \times \text{district dirt road mileage}}{\text{Total dirt road mileage}}$$

Mileage refers to dirt road mileage in the county road maintenance system (i.e. public dirt roads that are routinely maintained by county public works forces). Roads will be selected for paving based on distribution/availability of funds and priority within that council district, as determined by the uniform road rating system contained in this section.

The following amendment is being proposed:

Any Council Member may petition the Public Works Director via written request, including justification, to change the order of the roads that results from the mathematical formula.

If (1) the Public Works Director denies the request, or (2) the road is more than 15 spaces from the top of the paving priority list, or (3) the road costs more than \$50,000, the request must be submitted to Council for a public vote.

C. Financial Impact

There is no financial impact associated with these amendments.

D. Alternatives

1. Amend the process to clarify under what conditions the paving order can be altered.
2. Make other amendments to the road paving program process.
3. Do not approve any amendments to the current road paving program process.

E. Recommendation

This is a policy decision which must be made by Council.

Presented for action by: Kit Smith

Date: July 12, 2006

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 7/18/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation.

Public Works

Reviewed by: Howard Boyd, County Engineer Date: 7/20/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Amelia R. Linder

Date: 7/20/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: All of the alternatives are legally sufficient; therefore, this request is at the discretion of County Council. Based on the above referenced "Background/Discussion" comments, I have attached a draft ordinance for consideration.

Administration

Reviewed by: J. Milton Pope/Tony McDonald Date: 7/21/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval of the proposed clarifications to the road paving program and request guidance from the Council as to whether the changes are to be prospective or retroactive.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-06HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 21, ROADS, HIGHWAYS AND BRIDGES, SECTION 21-20, ROAD PAVING PROGRAM; SUBSECTIONS (D) AND (E); SO AS TO PROVIDE ADDITIONAL MEANS FOR DETERMINING ROAD PAVING PRIORITIES.

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

SECTION I. The Richland County Code of Ordinances, Chapter 21, Roads, Highways and Bridges, Section 21-20, Road Paving Program; Subsection (d); is hereby amended by the deletion of the language contained therein and the substitution of the following language:

(d) Roads will be prioritized in accordance with the following procedure, unless one of the exceptions provided in subsection (e) below are followed:

A road's priority for paving will be established by the number of points accredited to it as described below divided by it's length, with the highest total of points per mile constituting the highest priority. The points per mile (P) is calculated by the formula:

$$P = \frac{H + B + C + T + M}{L} \quad \text{Where:}$$

H=Number of points accredited for homes.

One point is accredited for each home accessed from the road. This will include mobile homes as well as permanent homes. It should be noted that the number of homes on a road is an indicator of the number of people using it as well as the importance of the road as a possible school bus route.

B=Number of Points accredited for businesses.

Two points are accredited for each business accessed from the road. To be eligible for these points, a business must occupy a building separate from any residence and rely on the road for either customer traffic or routine use by company vehicles.

C=Number of points accredited for churches.

Two points are accredited for each church accessed from the road.

T=Number of points accredited for a through road.

Five points are accredited if the road is a through road connecting two different paved roads. It should be noted that a through road has the potential for people other than the residents to use it and it is also more likely to be utilized as a school bus route.

M=Number of points accredited for difficult maintenance.

From 0 to 10 points may accredited to a road based on the difficulty of maintaining it in serviceable condition as determined through consultation with the Roads and Drainage Manager.

L=Length of the road in miles and hundredths.

SECTION II. The Richland County Code of Ordinances, Chapter 21, Roads, Highways and Bridges, Section 21-20, Road Paving Program; Subsection (e); is hereby amended by the deletion of the language contained therein and the substitution of the following language:

(e) Exceptions to the road paving priority list as established by subsection (d) above, are as follows:

- (1) A road's paving may be given top priority provided that all costs incurred by the County to pave it are paid by its adjacent property owners. Such costs may be included as an assessment on the tax bill of the property owners, to be paid over no more than a fifteen (15) year period with an interest charge equal to that paid by the County for bonds issued to fund construction. The County Council may elect to have the total costs, plus interest, of the improvements allocated between the property owners either by a front footage assessment ratio, or by each lot being assessed an equal share of the costs and interest. Establishment of this assessment shall require approval of eighty percent (80%) of the property owners.
- (2) Alternatively, any Richland County Council Member may petition the Public Works Director by written request to change the order of the roads that results from the mathematical formula of subsection (d) above. Such petition shall include justification for the reordering of the roads. However, such petition (including justification) shall be submitted to the entire County Council for action at a regular or special called County Council meeting if:
 - a. The Public Works Director denies the request, or
 - b. The proposed road is not within the top fifteen (15) roads on the paving priority list, or
 - c. The road paving costs will exceed \$50,000.

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

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

SECTION V. Effective Date. This ordinance shall be effective from and after _____, 2006.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE ____ DAY

OF _____, 2006

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading: July 25, 2006 (tentative)
Public Hearing:
Second Reading:
Third Reading:

Richland County Council Request of Action

Subject: Richland County / City of Columbia City-County Steering Committee

A. Purpose

Council's endorsement of the Richland County / City of Columbia City-County Steering Committee is requested.

B. Background / Discussion

At the July 11, 2006 Regular Session Council Meeting, John Marcy, on behalf of the Chamber of Commerce, presented information to Council regarding the formation of the Richland County / City of Columbia City-County Steering Committee.

The proposed charter for the committee is "to work on operational planning issues that better serve citizens and the development community."

The mission of the committee is to:

1. Define and propose the development of a one-stop shop for zoning, planning, permitting, and licensing services. Communicate differentiation between "one-stop shop" and "co-location."
2. Research and develop proposals for planning by Extraterritorial Jurisdiction (ETJ) in appropriate and reasonable unincorporated "urbanized" areas of Richland County.
3. Develop and deploy an appropriate communication and education process regarding annexation of unincorporated areas by the City of Columbia.

The aforementioned team charter and mission as documented were adopted by resolution at the Columbia City Council meeting on May 24, 2006.

Team members involved in this process to date include:

J. Milton Pope, Richland County

Charles Austin, City of Columbia

Earl McLeod, Home Builders Association

Steven Gantt, City of Columbia

Jonathan Marcy, Greater Columbia Chamber of Commerce

Fred Johnson, Greater Columbia Chamber of Commerce

Don Purcell, Columbia Chamber Northeast Area Council

C. Financial Impact

Financial implications have not yet been determined.

D. Alternatives

1. Endorse the Richland County / City of Columbia City-County Steering Committee as presented.
2. Make amendments to the Richland County / City of Columbia City-County Steering Committee as presented.
3. Do not approve the Richland County / City of Columbia City-County Steering Committee in any capacity.

E. Recommendation

This is a policy decision which must be made by Council.

Presented for discussion by: Jonathan Marcy, Greater Columbia Chamber of Commerce, July 12, 2006

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 7/17/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation

Legal

Reviewed by: Amelia Linder

Date: 7/18/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: All of the alternatives appear to be legally sufficient; therefore, this request is at the discretion of County Council.

Administration

Reviewed by: J. Milton Pope

Date: 7-19-06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval...Council could also consider adding and additional member.

Richland County Council Request for Action

Subject: Petition to Close Road/Portion of Joe Ballentine Rd.

A. Purpose

County Council is requested to consider a petition filed with the circuit court to close a portion of Joe Ballentine Road, which is currently a County maintained road.

B. Background / Discussion

Petitioner filed with the circuit court to close a portion of Joe Ballentine Road, which is a County maintained road. According to the petition, this road was previously barricaded and temporarily closed by Richland County at the request of the neighboring property owners due to littering, dumping, and the opportunity for other anti-social, undesirable and criminal behavior. Also according to the petition, the subject portion of the roadway lies within petitioner's property and is not used by any abutting property owners for access to their properties. Petitioner requests that the court abandon or close the roadway and vest title with the Petitioner. A copy of the petition is attached for your convenience.

The Legal Department now needs Council's guidance in answering this lawsuit.

C. Financial Impact

There is no known financial impact associated with this request.

D. Alternatives

1. Approve petitioner's request to close the subject road and direct Legal to answer the suit accordingly.
2. Deny petitioner's request to close the road, state reasons for such denial, and direct Legal to answer the suit accordingly.

E. Recommendation

This decision is at Council's discretion.

Recommended by: Elizabeth A. McLean

Department: Legal

Date: July 14, 2006

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 7/14/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation

Legal

Reviewed by: Elizabeth A. McLean

Date: 7/18/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This request is at Council's discretion.

Administration

Reviewed by: Tony McDonald

Date: 7/21/06

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval, pending review and analysis by the County Engineer.

Wilbur Smith Associates
Site Development Division
1301 Gervais Street
Columbia, South Carolina 29201-3356
Post Office Box 92
Columbia, South Carolina 29202-0092

(803) 758-4500
(803) 758-4561 (FAX)

Memorandum

DATE: July 20, 2006

TO: Richland County
Milton Pope, Interim County Administrator

FROM: Wilbur Smith Associates
Dennis A. Leverette, Sr., P.E., Vice President

SUBJECT: FARMERS MARKET
SCE&G Transmission Line
Relocation and Easement

Copies of an Easement Exhibit map depicting a proposed easement [generally fifty (50) feet in width] along the southern boundary of the County's portion of the Farmers Market site as well as a corresponding legal description of the courses and distances of each of the sides of this proposed easement were recently delivered by hand to the County's staff. This proposed County easement, coupled with a second proposed State easement [a portion of which is corresponding and parallel to the proposed County easement and also generally fifty (50) feet in width], are being requested to assemble a new corridor totaling one hundred (100) feet in width for the planned relocation of SCE&G's existing 110 kV transmission line. The center line of the resulting proposed one hundred (100) feet wide transmission line easement [the combination of the fifty (50) feet wide County easement and the fifty (50) feet wide State easements] would thus be coincident with the contiguous County and State property line—the property line which generally runs east to west across the Farmers Market campus. The corresponding State easement is being requested of the State Budget and Control Board simultaneous with this request of Richland County.

The necessity of relocating SCE&G's 110 kV transmission line is as a result of its current location being coincident with several of the planned buildings within the proposed Retail Market portion of the Farmers Market's campus. In addition to the issues surrounding the transmission line's location are concerns related to the aesthetically unappealing treated timber "H" frame support structures as well as the conducting cables being relatively low to the ground. The proposed relocation of the transmission line would be onto significantly higher precast concrete mono poles thus resolving both the aesthetic and conductor height related issues.

July 20, 2006

Farmers Market, SCE&G Transmission Line, Relocation and Easement

Page 2 of 2

While, on its face, we realize the one hundred (100) feet wide easement may appear to be a significant concession in terms of the overall campus (2.11 acres of the County property and 7.58 acres of the States property), in addition to providing a corridor for the proposed transmission line, we are proposing a coincident roadway as well as a number of necessary utilities within the one hundred (100) feet. We are currently anticipating collocation of water, sanitary sewer, storm drainage, natural gas, electrical distribution lines, telephone lines, and possibly conduits for locally monitored closed circuit television and fire and intrusion alarm systems. Further, if considered in light of the minimum standard sixty-six (66) feet wide right-of-way for a State road, the “additional” property concession could more realistically be calculated as: 100 ft. easement minus the 66 ft. highway right-of-way equals 34 ft. additional land to accommodate the SCE&G transmission line. Divide this 34 ft. by 2 in that the proposed easement would be half on County property and half on State property equals an additional 17 feet in right-of-way width or and additional 0.72 acres as opposed to the 2.11 acres.

Following our meeting earlier today, as was requested, we investigated the possibility of locating the transmission completely on the State’s property. This logically resulted in consideration of relocating the transmission line easement as well as the associated roadway and utilities generally parallel to the currently proposed route to a route between the currently proposed and the future proposed multi tenant buildings on the State’s property. While this appears to be a workable solution which could be constructed at comparable cost to the State and would on a first look appear to represent a savings of the 2.11 acres of County property, the now relocated roadway and utilities (less the transmission line) would need to be “replaced” in some configuration on the County’s property. Assuming the comparable roadway alone was to be constructed within a County standard fifty feet wide right-of-way, this would represent slightly more than the 2.11 acres (due to the additional roadway necessary to offset the road from the property line into the County’s property—assuming an offset would be the County’s desire. Further, dependent on how utilities were accommodated within the right-of-way and which utilities the County provided, additional property may be required. However, the most compelling argument to be considered may be that, under this configuration, the County would now be constructing and maintaining the road and utility system as opposed to having access to that which would have been constructed and maintained by the State.

While I trust the above satisfactorily states the request for and the rationale behind the fifty (50) feet wide easement for the transmission line, roadway, and utilities, I would be happy to be available at your convenience to discuss this or any other project related questions or comments you may have or to brief other County representatives to further aid in your evaluation. At any time and for any questions or concerns, please feel free to call on me.

cc: WSA File No. 538230

Mrs. Roxanne Matthews, Assistant to the County Administrator, Richland County

Mr. Jim Trexler, Director of Administration, South Carolina Department of Agriculture

Mr. Wayne Mack, Director of Marketing, South Carolina Department of Agriculture