

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

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

OTHERS PRESENT: T. Cary McSwain, Darren Gore, Larry Smith, Tony McDonald, Ralph Pearson, Milton Pope, Monique Walters; Ash Miller, Pam Davis, Marsheika Martin, Michielle Cannon-Finch, Nenie Pasky

CALL TO ORDER

The meeting was called to order at approximately 5:34 p.m.

APPROVAL OF MINUTES – February 27, 2001: Regular Session Meeting

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

ADOPTION OF AGENDA

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

ITEMS FOR ACTION

A. Change Order: Wiley Easton Construction Contract

Mr. Meetze moved, seconded by Ms. Brill, to approve 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. The vote in favor was unanimous.

B. Easement: SCE&G Pressure Release Station

Mr. Meetze moved, seconded by Ms. Tillis, to approve consideration of an easement allowing SCE&G to place a gas pressure regulating station on the County's property in Ballentine. The vote in favor was unanimous.

C. Quit Claim Deed (2): Woodcreek Development and The Ridge

Mr. McSwain stated this is a request to relinquish right-of-way where a road was never built and to provide quit claims deeds off of Spears Creek Church Road.

Mr. Ralph Pearson stated this road was granted to the County back in the 1950s.

A discussion took place.

Mr. Meetze moved, seconded by Mr. Pearce, to defer this item and instructed Mr. Pearson to come back with more information.

After discussion, Mr. Meetze withdrew his motion.

Mr. Meetze moved, seconded by Ms. Brill, to forward to full Council without a recommendation pending additional information. The vote in favor was unanimous

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ITEMS PENDING ANALYSIS

A. Greenleaf Drainage Project

Ms. Brady stated this item is pending.

ITEMS FOR INFORMATION/DISCUSSION

A. Historical, Cultural, and Natural Resource Conservation Program (Request for Council Work Session: 4:00 p.m., Tuesday, April 3, 2001)

The committee agreed to hold a work session regarding this issue.

ADJOURNMENT

Mr. Meetze moved, seconded by Ms. Tillis, to adjourn at approximately 5:41 p.m. The vote in favor was unanimous.

Respectfully Submitted,

Bernice G. Scott
Chair

The minutes were transcribed by Marsheika G. Martin

Richland County Council Request of Action

Subject: Award of Contract

A. Purpose

The purpose of this report is to seek County Council's approval to negotiate and enter into contracts for the design of sanitary sewer systems to serve the Broad River Heights and Riverside Forest Communities.

B. Background/Discussion

Qualifications from engineering firms interested in providing engineering services for designing sewer collection systems to serve the Broad River Heights and Riverside Forest Communities were solicited by the Procurement Department and received in March 2001. An evaluation committee reviewed the qualifications and selected a "short list" of three. County ordinance requires County Council approval of the selection and authorization for the Procurement Department to negotiate with the selected firms.

The "short list" selected by the evaluation committee, in order of preference, is as follows:

Riverside Forest Project

1. Roberson Engineering
2. B.P. Barber & Associates, Inc.
3. Hussey, Gay, Bell & DeYoung, Inc.

Broad River Heights Project

1. B.P. Barber & Associates, Inc.
2. Roberson Engineering
3. Hussey, Gay, Bell & DeYoung, Inc.

C. Alternatives

1. Approve the selections made by the evaluation committee.
2. Approve any other firm from those submitting qualifications.
3. Do nothing. The projects will not be designed if this alternative is chosen.

D. Financial Impact

The estimated cost for the Broad River Heights project is approximately \$685,000.00 and for the Riverside Forrest project is approximately \$1,415,000.00. Engineering design and construction period service fees should not exceed fifteen percent (15%) of the project cost.

Funds for the engineering will initially come from the Broad River Regional Sewer System enterprise fund. These funds will be reimbursed once the permanent source of financing is determined.

E. Recommendation

It is recommended the County Council authorize the Procurement Department to negotiate fees with the selected firms and to award contracts, provided fees are within fifteen percent (15%) of the estimated project cost.

Recommended by: Andy H. Metts Department: Utilities & Services Date 4/9/01

F. Approvals

Finance

Approved by: Darren P. Gore Date: 4/09/01

Comments:

Legal

Approved as to form by: Amelia R. Linder Date: 04/17/01

Comments:

Procurement

Approved by: Rodolfo A. Callwood Date: 04/17/01

Comments:

Administration

Approved by: Tony McDonald Date: 4/19/01

Comments: It is recommended the County Council authorize the Procurement Department to negotiate fees with the selected firms and to award contracts, provided fees are within fifteen percent (15%) of the estimated project cost.

Richland County Council Request of Action

Subject: Award of Contract

A. Purpose:

The purpose of this report is to request County Council's consideration of bids for construction of the 2000 Resurfacing project.

B. Background / Discussion

At its meeting of October 24, 2000, the Richland County Transportation Committee authorized funding in the amount of \$950,000 for the subject project. Engineering, which was initiated in November 2000, has been completed and the project advertised for construction bids. Bids were opened March 21, 2001. Below is a tabulation of the bids:

Bidder	Base Bid	Add. No.1	Add. No. 2	Add. No. 3	Add. No. 4
C.R. Jackson	799,990.40	4,195.00	389,479.80	82,346.80	229,277.65
Lanier Construction	716,343.70	9,505.00	332,415.80	63,853.10	183,550.00
Rea Construction	834,955.05	11,406.00	365,836.90	74,490.50	231,108.70
Sloan Construction	873,603.00	10,007.40	389,705.05	77,731.30	206,964.20

It should be noted that the base bid includes streets in the Harbison and Dutch Square areas, Dutchbrook Subdivision, Meadowlake Subdivision, Gadsden Terrace and Atlas Road area. Addition 1 is lane striping on Columbianna Drive. Addition 2 includes streets in the Shadowood Cove, Highland Forest, Haskel Heights, Newcastle and Briarwood Subdivisions. Addition 3 includes streets in the Woodfield Park Area. Addition 4 is the reconstruction and resurfacing of a section of Chadford Road in the New Friarsgate Subdivision.

The low bidder on the base bid and on any combination of base and additions is Lanier Construction Co. Inc. The bids have been reviewed and the low bidder has been found to be responsive and qualified to perform the work. Our engineering consultant recommends award to the low bidder.

C. Financial Impact

The low bid for the base bid plus additions 1, 2 and 3 totals \$1,122,117.60. Funding approved for this project by the CTC on October 24, 2000 plus unexpended funds under PINs 24483 and 22695 totals approximately \$1,126,165. The CTC has authorized expenditure of these unexpended funds for this project. Therefore, the base plus alternates 1, 2 and 3 can be accomplished within the available "C" funds. No County funding is requested.

D. Alternatives

The alternatives available are:

1. Award the contract to the low bidder for the base bid only. Under this alternative, the contract would be awarded to Lanier Construction Co. in the amount of \$716,343.70.
2. Award the contract to the low bidder for the base plus any combination of additions. Under this alternative, the contract would still be awarded to Lanier Construction Co.

3. 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. In addition, the low bid is within the engineer's estimate and within the amount of available funding.

E. Recommendation

In view of the above, alternative 2 is recommended. In addition, it is recommended that the contract be awarded for the base bid plus additions 1, 2 and 3.

F. Recommended By: Ralph B. Pearson, P.E. Department: Public Works Date: 4/4/01

Approvals

Finance

Approved by: Darren P. Gore
Comments:

Date: 04-04-01

Procurement

Approved by: Rodolfo A. Callwood
Comments:

Date: 04/04/01

Legal

Approved as to form by: Amelia R. Linder
Comments:

Date: 04/05/01

Administration

Approved by: Tony McDonald

Date: 4/17/01

Comments: It is recommended that Council approve award of the 2000 resurfacing contract to Lanier Construction in the amount of \$716,343.70. In addition, it is recommended that Council approve additional alternates 1, 2, and 3 as described above in the amounts of \$9,505.00, \$332,415.80, and \$63,853.10 respectively. The total for the base bids plus the three alternates will total \$1,122,117.60. This request has been approved by the CTC and no additional funding is requested.

Richland County Council Request of Action

Subject: Ordinance - Development Agreement

A. Purpose

County Council is requested to approve a development agreement between Richland County and Lake Carolina Development, Inc.

B. Background / Discussion

The South Carolina Local Government Development Agreement Act (Section 6-31-30) states that a local government may establish procedures and requirements to enter into development agreements with developers by the adoption of an ordinance. Lake Carolina has requested that the County enter into a development agreement to accompany and strengthen the rezoning of a portion of their property in the Lake Carolina subdivision to a Planned Unit Development (PUD). The significant motivation for both the Development Agreement and the PUD is to implement several advanced planning and development techniques in accordance with traditional neighborhood development concepts as set forth in the Imagine Richland 2020 Comprehensive Plan.

The Planning Commission recommended approval of both the PUD rezoning on April 2nd and the development agreement on March 5th. Both the Planning Commission and planning staff are comfortable with the process and the resulting instruments. While the PUD rezoning will move directly before County Council at the Zoning Public Hearing on April 24th, the development agreement is being submitted to the Development and Services Committee for review and approval as an ordinance.

C. Financial Impact

There is no financial impact associated with this request.

D. Alternatives

1. Recommend approval of the development agreement between Lake Carolina and the County.
2. Recommend continued negotiation of the development agreement with Lake Carolina.
3. Recommend denial of the request to approve the development agreement between Lake Carolina and the County.

E. Recommendation

It is recommend that County Council approve the development agreement between Lake Carolina and Richland County.

Recommended by: The Richland County Planning Commission

Date: 4/07/01

F. Approvals

Finance

Approved by: Darren P. Gore

Date: 04/10/01

Comments:

Richland County Council Request of Action

Subject: Resolution

A. Purpose

The purpose of this report is to request County Council's approval to adopt a Fair Housing Resolution. Once adopted, the Resolution will be published in local newspapers for the citizens of Richland County.

B. Background / Discussion

Richland County annually applies for and receives Community Development Block Grant (CDBG) funds for community and economic development projects. As a result of receiving these grant funds, the County certifies (by signing the grant award agreement) that it will undertake actions to affirmatively further fair housing during the grant period.

This fair housing action will satisfy the requirements of the CDBG program. By advertising this action, it will make the Richland County citizens aware of the efforts being made by the County regarding this matter.

The Fair Housing Resolution reads as follows:

WHEREAS, the Richland County Council desires that its citizens be afforded the opportunity to attain a decent, safe and sound living environment; and

WHEREAS, the Richland County Council rejects discrimination in the provision of housing on the basis of race, religion, color, sex, national origin, familial status or disability; and

WHEREAS, the Richland County Council desires that every citizen be afforded the opportunity to select a home of his or her choice.

NOW, THEREFORE, BE IT RESOLVED, that in order to accomplish these objectives, the Richland County Council hereby takes the following actions:

- 1. The Richland County Council does hereby appoint the County Administrator as the Fair Housing Administrator; and*
- 2. Said Fair Housing Administrator shall receive and review any and all grievances concerning discrimination in the provision of housing within the unincorporated areas of Richland County; and*
- 3. Said Fair Housing Administrator shall forward all such unresolved grievances to the State Human Affairs Commission; and*
- 4. Said Administrator will encourage all local realtors, homeowners and contractors to provide for nondiscrimination in the provision of housing within the unincorporated areas of Richland County.*

C. Financial Impact

There will be advertising costs; but these costs will be covered by the grant. No County funds will be needed.

D. Alternatives

1. Adopt the attached fair housing resolution so that the County remains in compliance with the federal requirements of the CDBG program.
2. Do not adopt the resolution and risk not receiving future CDBG grant funds due to non-compliance.

E. Recommendation

Adopt the fair housing resolution so that the County satisfies its duty to affirmatively further fair housing.

Recommended by: Sherry Moore

Department: Administration

Date: 4/12/01

F. Approvals

Finance

Approved by: Darren P. Gore

Date: 04/12/01

Comments:

Legal

Approved as to form by: Amelia R. Linder

Date: 04/12/01

Comments:

Administration

Approved by: Tony McDonald

Date: 04/12/01

Comments: Recommend that the Council adopt the proposed fair housing resolution so that the County remains in compliance with the federal requirements of the CDBG program.

Richland County Council Report

Subject: Report of Council Work Session

A. Purpose

To report to the County Council information from the April 16, 2001 Council Work Session regarding a proposed ordinance regulating outdoor advertising signs (billboards).

B. Background

On Monday April 16, 2001 the Council in work session forwarded to the Development Service Committee five options available for consideration. This is the culmination of a process that began in December 1999 when the Richland County Council adopted a six-month moratorium on new billboards. At that time the Richland County Appearance Commission was asked to develop a recommendation for the appropriate approach to regulate this industry. On April 26, 2000, the Appearance Commission recommended a draft ordinance that applies a Cap and Replace system dealing with billboards. Since then the Appearance Commission, Planning Commission, and members of Council have worked continuously to examine all available options.

The moratorium established in December 1999 has been extended until July 2001. On March 5, 2001, the Richland County Planning Commission considered adoption of the recommended Cap and Replace proposal, and ultimately forwarded that proposed ordinance to Council without recommendation. At that meeting, there were no less than five motions made with various approaches to regulating the industry, all of which failed.

C. Ordinance Options (as discussed in the Council work session)

1. More Regulations, More Signs

This option would not cap the growth of billboards but would regulate them more strictly. For example, their placement and size could be controlled. This option has been proposed by one of the outdoor advertising companies.

2. Replace with Incentives - Limited Growth

(would allow for additional signs by awarding more square footage)

This method for billboard removal and replacement was recommended by the Appearance Commission and is supported by one of the outdoor advertising companies. It is a compromise between other methods that have been examined during this process ranging from amortization, lease purchase, maintenance of the status quo, and a permanent moratorium. One aspect of this method is that it may encourage the industry to consider the economic incentives found within the ordinance established by the replacement ratios. It also will encourage the removal of signs from certain areas and replace them with potentially larger or additional signs in areas determined to be more appropriate. The owner of a billboard sign would be allowed one square foot of new

display area for each square foot of display area removed when the removal would result in location of the new signage within the freeway overlay district (FS). The owner would be allowed two square feet of new display area for every one square foot removed when removed from an area other than the FS. Finally, the owner would be allowed three square feet of new display area for every square foot removed when the sign is in violation of the spacing requirement from residential zoning districts, rivers, or historic districts or structures, and when removed for replacement in a FS. Furthermore, this method allows for more control of signage by the Planning Commission and County Council through a legislative act that would apply the zoning district overlays to the appropriate road segments within the jurisdiction. The initial method of application would be accomplished through a legislative act of Council applying the overlay districts “collector, arterial, and freeway,” in keeping with the 1992 functional classification study conducted by the Council of Governments. The Council can then choose to remove or apply these overlays as they see fit.

3. Cap and Replace With Size Incentives
(would not allow for additional signs, but would award more square footage)

This option is essentially the same as option 1 with the exception that the number of billboards found within the jurisdiction would be capped at the number of billboards in place on February 1, 2000. To construct a new billboard, a billboard must be removed.

4. Cap and Replace Without Incentives - No Growth
(would not allow for additional signs or square footage)

The amount of surface area allowed for a replacement sign following the removal of an existing sign would be the same as the surface area of the signage removed. Combined with the Cap and Replace provisions are requirements of size, height, spacing, and location, which coincide with the three overlay districts that again being arterial street, collector, and freeway sign overlay districts.

5. Permanent Moratorium – Slow Decrease

A permanent moratorium, or the repeal of the current section of code that provides for the permitting of outdoor advertising signs, prohibits the addition of any new outdoor advertising signage within the county. Although this method would have no immediate effect, over time the number of signs would diminish as new development forces existing signs out of the area and as old signs fall into disrepair.

D. Additional Considerations

The following additional considerations were also discussed at the work session. Depending on which option above that Council chooses to adopt, the following considerations may also be applied to the ordinance.

1. Permit Fee

A permit fee may be required to provide revenues for the administration of the regulations.

2. Limited surface area:

Should Council choose an option that limits the square footage allowed for signs then this additional consideration would allow for extensions. The owner would be allowed to construct an extension as part of their signage only if the extension did not exceed the total surface area allowed.

3. Overlay district designation by Council district:

Council could, by Council district, examine all of the roads segments within the jurisdiction and determine the application of the three proposed overlay districts. This would provide for greater discretion at the individual Council district level as to the potential expansion and/or contraction of the industry within various areas of Richland County. This approach can be coupled with the others described above under the zoning code utilizing the Replacement Incentive and/or Cap and Replace systems. Each council district would require a legislative act of Council to apply the overlays. This process could be time consuming but none the less would allow for more flexibility.

E. Alternatives:

1. Recommend one of the options described earlier herein.
2. Recommend an option other than those described.
3. Recommend no action remain with the “status quo.”

F. Recommendation:

The Appearance Commission’s recommended to the Planning Commission the Replace with Incentives ordinance (option 2). The Planning Commission forwarded the ordinance to Council without recommendation. At the work session held on April 16, 2001, Council forwarded the options described herein to Development Services Committee.