

RICHLAND COUNTY

TRANSPORTATION AD HOC COMMITTEE

AGENDA

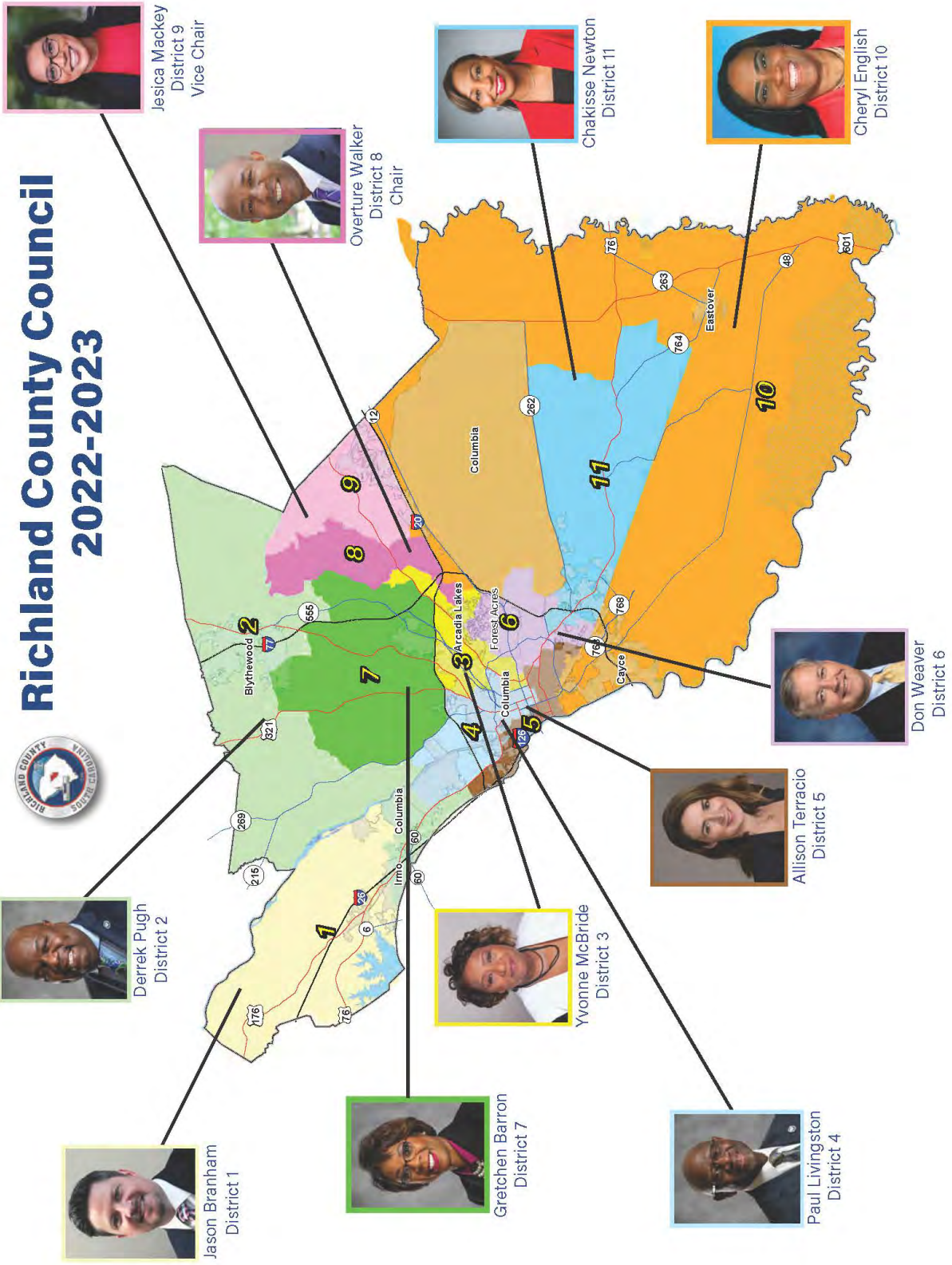


TUESDAY MARCH 28, 2023

4:00 PM

COUNCIL CHAMBERS

Richland County Council 2022-2023



Derrek Pugh
District 2

Jason Branham
District 1

Gretchen Barron
District 7

Yvonne McBride
District 3

Allison Terracio
District 5

Paul Livingston
District 4

Don Weaver
District 6

Overture Walker
District 8
Chair

Jessica Mackey
District 9
Vice Chair

Chakisse Newton
District 11

Cheryl English
District 10



**Richland County
Transportation Ad Hoc Committee**

AGENDA

March 28, 2023 - 4:00 PM
2020 Hampton Street, Columbia, SC 29204

The Honorable Jason Branham	The Honorable Derrek Pugh	The Honorable Don Weaver	The Honorable Overture Walker, Chair	The Honorable Jessica Mackey
County Council District 1	County Council District 2	County Council District 6	County Council District 8	County Council District 9

1. **CALL TO ORDER** The Honorable Overture Walker

2. **APPROVAL OF MINUTES** The Honorable Overture Walker
 - a. February 7, 2023 [PAGES 5-6]

3. **ADOPTION OF AGENDA** The Honorable Overture Walker

4. **ITEMS FOR ACTION** The Honorable Overture Walker
 - a. Mitigation Bank Credit - D.R. Horton, Inc. -
Westport Phase 2 Development [PAGES 7-10]
 - b. Mitigation Bank Credit - Fire Tower Road [PAGES 11-14]
 - c. Mitigation Bank Credit - River Falls at Tega Cay [PAGES 15-18]
 - d. Use of Project Reserve for Paved Road Resurfacing in
FY23/24 [PAGES 19-24]

5. **PRESENTATION**
 - a. Mead & Hunt Dirt Road Paving Program Process [PAGES 25-70]

6. **ADJOURNMENT** The Honorable Overture Walker



Special Accommodations and Interpreter Services Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.



Richland County Council
Transportation Ad Hoc Committee
MINUTES
February 7, 2023 – 4:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Overture Walker, Jason Branham, Paul Livingston, Don Weaver, and Jesica Mackey

OTHERS PRESENT: Derrek Pugh, Ashiya Myers, Michelle Onley, Michael Maloney, Jeff McNesby, Angela Weathersby, Tamar Black, Anette Kirylo, Leonardo Brown, Patrick Wright, Dale Welch, Abhijit Deshpande, Stacey Hamm, and Nathaniel Miller

1. **CALL TO ORDER** - Chairwoman Jesica Mackey called the meeting to order at approximately 4:00 PM.
2. **ELECTION OF CHAIR** - Mr. Livingston nominated Mr. O. Walker for the position of Chair.
In Favor: Branham, Livingston, Weaver, Walker, and Mackey
The vote in favor was unanimous.
3. **APPROVAL OF MINUTES**
 - a. December 6, 2022 – Mr. Livingston moved to approve the minutes as distributed, seconded by Ms. Mackey.
In Favor: Branham, Livingston, Weaver, Walker, and Mackey
The vote in favor was unanimous.
4. **ADOPTION OF AGENDA** – Ms. Mackey moved to adopt the agenda as published, seconded by Mr. Livingston.
In Favor: Branham, Livingston, Weaver, Walker, and Mackey
The vote in favor was unanimous.
5. **ITEM FOR ACTION**
 - a. Blythewood Road Widening Award of Construction – Mr. Michael Maloney, Interim Transportation Director, stated that this project is the award of construction for the Blythewood Road Widening from the I-77 ramps over to Syrup Mill Road. The road will be widened from a two-lane road to a five-lane road and include shared-use paths. Two bids were received, and the lowest responsive, responsible bid was from Cherokee, Inc in the amount of \$10,061,778.01. Transportation staff is requesting a 10% contingency in the amount of \$1,006,177.80. Additionally, there will be professional services in the amount of \$1,250,188.19, bringing the total cost to \$12,318,144.00. He noted the road would continue to be a SCDOT maintained road.

Mr. Pugh thanked the transportation staff for their work in seeing these Penny Projects completed. He inquired if the contractors were notified of the contract award prior to Council's approval.

Mr. Maloney responded the contractors do know they were the apparent low.

Mr. Pugh inquired as to what happens if the contingency is not used.

Mr. Maloney responded the funds would stay in the fund balance.

Ms. Mackey inquired about the timeframe of the project if approved by Council, and how the public will be notified.

Mr. Maloney responded, after Council's approval, they would schedule the contracting with Procurement, which would take approximately two to three weeks. Then the preconstruction meeting with the contractor will be held, whereby a detailed construction schedule will be provided. Once the schedule is established, a press release could be given to the public. They will likely break ground in early March.

Ms. Mackey moved to forward to Council with a recommendation to award the construction contract to the lowest responsive, responsible bidder, Cherokee, Inc., in the amount of \$10,061,778.01, with a 10% contingency in the amount of \$1,006,177.80 to cover costs related to unforeseen conditions, for a total to be managed by staff of \$11,067,955.81, seconded by Mr. Weaver.

In Favor: Branham, Livingston, Weaver, Walker, and Mackey

The vote in favor was unanimous.

6. **ADJOURNMENT** – Ms. Mackey moved to adjourn, seconded by Mr. Weaver.

In Favor: Branham, Livingston, Weaver, Walker, and Mackey

The vote in favor was unanimous.

The meeting adjourned at approximately 4:09 PM.

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Quinton Epps	Title:	Division Manager
Department:	Community Planning & Development	Division:	Conservation
Date Prepared:	March 7, 2023	Meeting Date:	March 28, 2023
Legal Review	Patrick Wright via email	Date:	March 9, 2023
Budget Review	Abhijit Deshpande via email	Date:	March 9, 2023
Finance Review	Stacey Hamm via email	Date:	March 8, 2023
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCEM	
Meeting/Committee	Transportation Ad Hoc		
Subject	Mitigation Bank Credit D.R. Horton, Inc - Westport Phase 2 Development		

RECOMMENDED/REQUESTED ACTION:

Staff recommends approval of the request to purchase mitigation credits as listed below:

1. D.R. Horton, Inc in York County, SC for Westport Phase 2 Development for 1.61 wetland credits at a rate of \$20,000 per credit.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If not, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

These mitigation credit sales will generate \$37,523.73 which will be credited to the Transportation Penny Program.

Applicable department/grant key and object codes:

OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:

Not applicable.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

There are no legal concerns regarding this matter.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	Click or tap here to enter text.
Meeting	Choose an item.
Date	Click or tap to enter a date.

STRATEGIC & GENERATIVE DISCUSSION:

Staff requests approval for the sale of mitigation bank credits from the Mill Creek Mitigation Bank to the recommended entity and amounts to fulfill their permitting requirements.

The total combined transaction value is \$40,786.67 of which \$37,523.73 will be returned to the Penny Program, and \$3,262.94 will go to the Mill Creek Mitigation Bank owners/investors. The County's current credit ledger balance is as follows:

Credit Type	Released County Credits	County Credits Used or Sold	County Reserved Credits	Available County Credits
Wetland	800.000	248.155	100.00	451.845
Stream	30,000.000	26,600.00	3,400.00	0.00

Interim Transportation Director Maloney estimates as currently constituted, the remaining projects in the Transportation Penny program will require 100 wetland credits and 3,400 stream credits. Those numbers would increase if the Penny tax is extended and more projects are added. Based on these estimates, the request for 1.61 wetland credits and 0.0 stream credits will not impact the County's ability to implement the Penny Program. As such, staff recommends approval for the sale of 1.61 wetland credits from the County Credits. This will bring the County's current credit ledger balance to the following which will meet the projected need for the Penny Program:

Credit Type	Released County Credits	County Credits Used or Sold	County Reserved Credits	Available County Credits
Wetland	800.000	249.765	100.00	450.235
Stream	30,000.000	26,600.00	3,400.00	0.00

If the County Council does not approve the requested sales of its surplus mitigation credits, the County portion of the mitigation credit sales will drop from \$37,523.73 to \$14,339.73 for a difference of \$23,184.00 to the Transportation Program.

ASSOCIATED STRATEGIC GOAL, OBJECTIVE, AND INTIATIVE:

The Mill Creek Mitigation Bank (MCMB) has met and continues to meet portions of all six (6) of the Strategic Goals in the Strategic Planning Report for Richland County dated June 29, 2022 as outlined below:

1. Foster Good Governance – The MCMB began with realistic and achievable goals, a shared vision and agreement with county leadership, using metrics for accountability, in collaboration with other governments, and has been re-evaluated during our annual plans each year.
2. Invest in Economic Development – The MCMB helps to create high paying jobs through planned growth and strategic development projects by providing mitigation where needed to offset environmental impacts to water resources and restore, preserve and enhance our natural resources.
3. Commit to Fiscal Responsibility – The MCMB has been aligned with budget priorities by providing mitigation opportunities at a reduced cost to Richland County, bringing in funds from other sources, and promoting sustainable economic development in Richland County.
4. Plan for Growth through Inclusive and Equitable Infrastructure – The MCMB has been a model for interdepartmental coordination and plans to enable smart growth. It has provided positive outcomes for development along with the preservation of sensitive lands.
5. Achieve Positive Public Engagement – The MCMB has provided and continues to provide wetland and stream credits to many development projects in Richland County and other areas of the state achieving success stories for Richland County.
6. Establish Operational Excellence – The MCMB has met the original goals to provide mitigation credits for the Transportation Penny Program as well as other development projects and to preserve, restore and enhance sensitive lands in Richland County.

ATTACHMENTS:

1. Mill Creek Credit Sales Checklist DR Horton Westport Phase 2

MITIGATION SURPLUS CREDIT SALES AGREEMENT SUMMARY

<u>Project:</u>	Westport Phase 2 Development
<u>Location:</u>	York County, SC
<u>8-Digit HUC Watershed Code</u>	03050101 (Upper Catawba)
<u>Buyer:</u>	D.R. Horton, Inc.
<u>Permittee:</u>	D.R. Horton, Inc.
<u>Permittee's USACE 404 Permit #:</u>	SAC-2022-00856
<u>Price Per Wetland Credit:</u>	\$20,000.00
<u>Price Per Stream Credit:</u>	N/A
<u>Wetland Credits:</u>	1.61 credits (0.805 restoration/enhancement & 0.805 preservation)
<u>Stream Credits:</u>	0.00 credits
<u>Credit Proceeds:</u>	\$32,200.00
<u>Richland County Credit Share:</u>	\$29,624.00 (92% of \$32,200.00)
<u>MCMH Credit Share:</u>	\$2,576.00 (8% of \$32,200.00)
<u>Fee for Out of Primary Service Area Sale:</u>	\$8,586.67
<u>Richland County Fee Share:</u>	\$7,899.73 (92% of \$8,568.67)
<u>MCMH Fee Share:</u>	\$686.94 (8% of \$8,568.67)
<u>Gross Proceeds (Inclusive of Fee for Out of Primary Service Area Sale:</u>	\$40,786.67
<u>Richland County Proceeds Share:</u>	\$37,523.73
<u>MCMH Proceeds Share:</u>	\$3,262.94

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Quinton Epps	Title:	Division Manager
Department:	Community Planning & Development	Division:	Conservation
Date Prepared:	February 15, 2023	Meeting Date:	March 28, 2023
Legal Review	Patrick Wright via email	Date:	February 22, 2023
Budget Review	Abhijit Deshpande via email	Date:	February 17, 2023
Finance Review	Stacey Hamm via email	Date:	February 17, 2023
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCEM	
Meeting/Committee	Transportation Ad Hoc		
Subject	Mitigation Bank Credit – Fire Tower Road		

RECOMMENDED/REQUESTED ACTION:

Staff requests approval of a request to purchase mitigation credits as listed below:

1. Fire Tower Road Site for Firetower Logistics, LLC in York County, SC for road construction for 17.47 wetland credits at a rate of \$20,000 per credit.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If not, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

These mitigation credit sales will generate \$334,358.38 which will be credited to the Transportation Penny Program.

Applicable department/grant key and object codes: 1233100000.461000

OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:

Not applicable.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

There are no legal concerns regarding this matter.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

Staff requests approval for the sale of mitigation bank credits from the Mill Creek Mitigation Bank to the recommended entity and amounts to fulfill their permitting requirements.

The total combined transaction value is \$413,951.91 of which \$334,358.38 will be returned to the Penny Program, and \$79,593.53 will go to the Mill Creek Mitigation Bank owners/investors. The County's current credit ledger balance is as follows:

Credit Type	Released County Credits	County Credits Used or Sold	County Reserved Credits	Available County Credits
Wetland	800.000	230.685	100.00	469.315
Stream	30,000.000	26,600.00	3,400.00	0.00

Interim Transportation Director Maloney estimates as currently constituted, the remaining projects in the Transportation Penny program will require 100 wetland credits and 3,400 stream credits. Those numbers would increase if the Penny tax is extended, and more projects are added. Based on these estimates, the request for 17.47 wetland credits and 0.0 stream credits will not impact the County's ability to implement the Penny Program. As such, staff recommends approval for the sale of 17.47 wetland credits from the County Credits. This will bring the County's current credit ledger balance to the following which will meet the projected need for the Penny Program:

Credit Type	Released County Credits	County Credits Used or Sold	County Reserved Credits	Available County Credits
Wetland	800.000	248.155	100.00	451.845
Stream	30,000.000	26,600.00	3,400.00	0.00

If the County Council does not approve the requested sales of its surplus mitigation credits, the County portion of the mitigation credit sales will drop from \$334,358.38 to \$82,790.38 for a difference of \$251,568.00 to the Transportation Program.

ASSOCIATED STRATEGIC GOAL, OBJECTIVE, AND INITIATIVE:

The Mill Creek Mitigation Bank (MCMB) has met and continues to meet portions of all six (6) of the Strategic Goals in the Strategic Planning Report for Richland County dated June 29, 2022 as outlined below:

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3. Commit to Fiscal Responsibility – The MCMB has been aligned with budget priorities by providing mitigation opportunities at a reduced cost to Richland County, bringing in funds from other sources, and promoting sustainable economic development in Richland County.
4. Plan for Growth through Inclusive and Equitable Infrastructure – The MCMB has been a model for interdepartmental coordination and plans to enable smart growth. It has provided positive outcomes for development along with the preservation of sensitive lands.
5. Achieve Positive Public Engagement – The MCMB has provided and continues to provide wetland and stream credits to many development projects in Richland County and other areas of the state achieving success stories for Richland County.
6. Establish Operational Excellence – The MCMB has met the original goals to provide mitigation credits for the Transportation Penny Program as well as other development projects and to preserve, restore and enhance sensitive lands in Richland County.

ATTACHMENTS:

1. Mill Creek Credit Sales Checklist - Firetower Logistics

MITIGATION SURPLUS CREDIT SALES AGREEMENT SUMMARY

<u>Project:</u>	Fire Tower Road Site
<u>Location:</u>	York County, SC
<u>8-Digit HUC Watershed Code</u>	03050103 (Lower Catawba)
<u>Buyer:</u>	Firetower Logistics @ 77, LLC
<u>Permittee:</u>	Firetower Logistics @ 77, LLC
<u>Permittee's USACE 404 Permit #:</u>	SAC-2018-00548
<u>Price Per Wetland Credit:</u>	\$20,000.00
<u>Price Per Stream Credit:</u>	N/A
<u>Wetland Credits:</u>	17.47 credits (8.735 restoration/enhancement & 8.735 preservation)
<u>Stream Credits:</u>	0.00 credits
<u>Credit Proceeds:</u>	\$349,400.00
<u>Richland County Credit Share:</u>	\$321,448.00 (92% of \$349,400.00)
<u>MCMH Credit Share:</u>	\$27,952.00 (8% of \$349,400.00)
<u>Fee for Out of Primary Service Area Sale:</u>	\$64,551.91
<u>Richland County Fee Share:</u>	\$12,910.38 (20% of \$64,551.91)
<u>MCMH Fee Share:</u>	\$51,641.53 (80% of \$64,551.91)
<u>Gross Proceeds (Inclusive of Fee for Out of Primary Service Area Sale:</u>	\$413,951.91
<u>Richland County Proceeds Share:</u>	\$334,358.38
<u>MCMH Proceeds Share:</u>	\$79,593.53

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Quinton Epps	Title:	Division Manager
Department:	Community Planning & Development	Division:	Conservation
Date Prepared:	February 15, 2023	Meeting Date:	March 7, 2023
Legal Review	Patrick Wright via email	Date:	February 22, 2023
Budget Review	Abhijit Deshpande via email	Date:	February 17, 2023
Finance Review	Stacey Hamm via email	Date:	February 17, 2023
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCEM	
Meeting/Committee	Transportation Ad Hoc		
Subject	Mitigation Bank Credit – Rivers Falls at Tega Cay		

RECOMMENDED/REQUESTED ACTION:

Staff requests approval of a request to purchase mitigation credits as listed below:

1. River Falls at Tega Cay in York County, SC for 2.162 wetlands credits at a rate of \$12,500 per credit.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If not, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

These mitigation credit sales will generate \$26,304.33 which will be credited to the Transportation Penny Program.

Applicable department/grant key and object codes: 1233100000.461000

OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:

Not applicable.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

There are no legal concerns regarding this matter.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

Staff requests approval for the sale of mitigation bank credits from the Mill Creek Mitigation Bank to the recommended entity and amounts to fulfill their permitting requirements.

The total combined transaction value is \$34,231.67 of which \$26,304.33 will be returned to the Penny Program, and \$7,927.34 will go to the Mill Creek Mitigation Bank owners/investors. The County's current credit ledger balance is as follows:

Credit Type	Released County Credits	County Credits Used or Sold	County Reserved Credits	Available County Credits
Wetland	800.000	228.523	100.00	471.477
Stream	30,000.000	26,600.00	3,400.00	0.00

Interim Transportation Director Maloney estimates as currently constituted, the remaining projects in the Transportation Penny program will require 100 wetland credits and 3,400 stream credits. Those numbers would increase if the Penny tax is extended, and more projects are added. Based on these estimates, the request for 2.162 wetland credits and 0.0 stream credits will not impact the County's ability to implement the Penny Program. As such, staff recommends approval for the sale of 2.162 wetland credits from the County Credits. This will bring the County's current credit ledger balance to the following which will meet the projected need for the Penny Program:

Credit Type	Released County Credits	County Credits Used or Sold	County Reserved Credits	Available County Credits
Wetland	800.000	230.685	100.00	469.315
Stream	30,000.000	26,600.00	3,400.00	0.00

If the County Council does not approve the requested sales of its surplus mitigation credits, the County's portion of the mitigation credit sales will drop from \$26,304.33 to \$6,846.38 for a difference of \$19,458.00 to the Transportation Program.

ASSOCIATED STRATEGIC GOAL, OBJECTIVE, AND INITIATIVE:

The Mill Creek Mitigation Bank (MCMB) has met and continues to meet portions of all six (6) of the Strategic Goals in the Strategic Planning Report for Richland County dated June 29, 2022 as outlined below:

1. Foster Good Governance – The MCMB began with realistic and achievable goals, a shared vision, and agreement with county leadership, using metrics for accountability, in collaboration with other governments, and has been re-evaluated during our annual plans each year.
2. Invest in Economic Development – The MCMB helps to create high paying jobs through planned growth and strategic development projects by providing mitigation where needed to offset environmental impacts to water resources and restore, preserve and enhance our natural resources.
3. Commit to Fiscal Responsibility – The MCMB has been aligned with budget priorities by providing mitigation opportunities at a reduced cost to Richland County, bringing in funds from other sources, and promoting sustainable economic development in Richland County.
4. Plan for Growth through Inclusive and Equitable Infrastructure – The MCMB has been a model for interdepartmental coordination and plans to enable smart growth. It has provided positive outcomes for development along with the preservation of sensitive lands.
5. Achieve Positive Public Engagement – The MCMB has provided and continues to provide wetland and stream credits to many development projects in Richland County and other areas of the state achieving success stories for Richland County.
6. Establish Operational Excellence – The MCMB has met the original goals to provide mitigation credits for the Transportation Penny Program as well as other development projects and to preserve, restore and enhance sensitive lands in Richland County.

ATTACHMENTS:

1. Mill Creek Credit Sales Checklist - River Falls at Tega Cay

MITIGATION SURPLUS CREDIT SALES AGREEMENT SUMMARY

<u>Project:</u>	River Falls at Tega Cay
<u>Location:</u>	Tega Cay, York County, SC
<u>8-Digit HUC Watershed Code</u>	03050101 (Upper Catawba)
<u>Buyer:</u>	Taylor Morrison
<u>Permittee:</u>	Taylor Morrison
<u>Permittee's USACE 404 Permit #:</u>	SAC-2013-01315
<u>Price Per Wetland Credit:</u>	\$12,500.00
<u>Price Per Stream Credit:</u>	N/A
<u>Wetland Credits:</u>	2.162 credits (1.081 restoration/enhancement & 1.081 preservation)
<u>Stream Credits:</u>	0.00 credits
<u>Credit Proceeds:</u>	\$27,025.00
<u>Richland County Credit Share:</u>	\$24,863.00 (92% of \$27,025.00)
<u>MCMH Credit Share:</u>	\$2,162.00 (8% of \$27,025.00)
<u>Fee for Out of Primary Service Area Sale:</u>	\$7,206.67
<u>Richland County Fee Share:</u>	\$1,441.33 (20% of \$7,206.67)
<u>MCMH Fee Share:</u>	\$5,765.34 (80% of \$7,206.67)
<u>Gross Proceeds (Inclusive of Fee for Out of Primary Service Area Sale:</u>	\$34,231.67
<u>Richland County Proceeds Share:</u>	\$26,304.33
<u>MCMH Proceeds Share:</u>	\$7,927.34

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Michael Maloney, PE	Title:	Interim Director
Department:	Transportation	Division:	
Date Prepared:	March 7, 2023	Meeting Date:	March 28, 2023
Legal Review	Patrick Wright via email	Date:	March 9, 2023
Budget Review	Abhijit Deshpande via email	Date:	March 20, 2023
Finance Review	Stacey Hamm via email	Date:	March 16, 2023
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCEM	
Meeting/Committee	Transportation Ad Hoc		
Subject	Use of Project Reserve for Paved Road Resurfacing in FY23/24		

RECOMMENDED/REQUESTED ACTION:

Staff requests to transfer \$5 million from “Project Reserve” to the “Pavement Resurfacing Program” for use in FY23/FY24. This will increase the approved amount for this Penny line item to \$45 million.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If not, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

There are adequate funds in balance of the Transportation Sales Tax to supply personnel and construction.

Applicable department/grant key and object codes: 1332990000/532200 JL 13320301

OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:

Not applicable.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

There are no legal concerns regarding this matter.

REGULATORY COMPLIANCE:

Not applicable.

MOTION OF ORIGIN:

“...the committee recommended approval to move the remaining balance of \$31,130,528.15 from the Administrative/Debt Service costs and transfer the General Fund proceeds to the Program Reserve Fund to be used as County Council approves for referendum projects.”

Council Member	Transportation Ad Hoc Committee Recommendation
Meeting	Special Called
Date	August 30, 2022

STRATEGIC & GENERATIVE DISCUSSION:

The requested funding will allow the Resurfacing Program to continue for another year and will resurface ten to fifteen miles of County roadway. The resurfacing program is needed to maintain the County roads and restore them from poor to good condition.

Staff will continue to identify future roads requiring the restoration based on pavement condition data.

ASSOCIATED STRATEGIC GOAL, OBJECTIVE, AND INTIATIVE:

Goal 4: Plan for growth through inclusive and equitable infrastructure

Objective 4.3: Create excellent facilities

Richland County has invested in knowledge of the existing conditions of its streets. Staff uses this knowledge to recommend roadways in need of re-investment for the quality of life for Richland County residents.

ATTACHMENTS:

1. Letter of Recommendation on Reserve Fund Use
2. Relevant Council Minutes – August 30, 2022



6/20/2022

Dr. John Thompson
Assistant County Administrator
2020 Hampton Street
Columbia, SC 29204

Transportation Penny Reserve Fund Use Plan

Dear Dr. Thompson,

The County Council has approved placing funds into two reserve funds over the past two months.

One reserve fund deprogrammed from the Penny, the I-20/Broad River Road Interchange. This fund is now designated as a Project Reserve of \$52.5 million to be used as approved by County Council.

The second reserve fund deprogrammed from the Penny, the use of undesignated Administration Costs. This fund is now designated as a Program Reserve of \$31.1 million to be used as approved by County Council.

We plan to keep these allocations unused until key projects are bid and under contract. This includes the following projects, the Bull and Elmwood intersection, and widening Blythewood Road and Atlas Road. These projects will help identify if current estimates will cover actual contract prices, or if inflation is outpacing the estimates. If the latter is true, reserves will become very important to funding the currently approved program list and for projecting these results into future project estimates.

With these key indicator projects under contract, we may plan for the reserve fund. We recommend the following uses:

1. Inflation Coverage – We recommend the fund maintain a declining balance for inflation until the last two years of the program.
2. Road Maintenance System – There is inadequate funding for the capital improvement of the existing roads. In the last ten years of the program, available funds should be used to provide the best overall transportation experience in Richland County.

- a. We recommend this not occur at one time, rather in Annual Allocations not to exceed \$5 million per year. This will help create the incremental decline in the project reserve.
3. Project Descopes – A reserve balance may serve some of the later scheduled projects that underwent descopes. This should only be reviewed where a project is either not started, in preliminary design, or the added scope will not setback the project.

That covers our current foresight for the Penny Program in Richland County. We look forward to your support in this outlook to the future and we seek your input on the priorities of the options we offer.

Sincerely,

Richland County Government
Transportation Department

Michael Maloney, PE
Interim Director



Ms. McBride inquired if this project is consistent with the process we have always used.

Mr. Jeff Ruble, Economic Development Director, responded the details are a little different than other projects we have seen where we follow standard guidelines. He noted there is a short due diligence period.

In Favor: Malinowski, Pugh, Livingston, Terracio, J. Walker, Barron, O. Walker and English

Opposed: McBride

Recused: Mackey – Parent company represents the business involved.

Not Present: Newton

The vote was in favor.

- b. Committing to negotiate a fee-in-lieu of ad valorem taxes agreement between Richland County and Project Dawson; identifying the project; and other matters related thereto – Mr. Livingston stated the committee recommended approval of this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey and English

Not Present: Newton

The vote in favor was unanimous.

- c. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and incentive agreement by and between Richland County, South Carolina and Project Dawson to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters [FIRST READING] – Mr. Livingston stated the committee recommended approval of this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey and English

Not Present: Newton

The vote in favor was unanimous.

18. **REPORT OF THE TRANSPORTATION AD HOC COMMITTEE**

- a. Approval of Reserve Fund Use Plan – Ms. Mackey stated the committee recommended approval to move the remaining balance of \$31,130,528.15 from the Administrative/Debt Service costs and transfer the General Fund proceeds to the Program Reserve Fund to be used as County Council approves for referendum projects.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey and English

Not Present: Newton

The vote in favor was unanimous.

Ms. Mackey moved to reconsider this item, seconded by Mr. J. Walker.

Opposed: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey and English

Not Present:

The motion for reconsideration failed.

19. **OTHER ITEMS**

- a. FY23 – District 1 Hospitality Tax Allocation: Harbison Theatre at Midlands Technical College - \$25,000
- b. FY23 – District 4 Hospitality Tax Allocation: Tri-City Visionaries - \$1,000
- c. FY23 – District 4 Hospitality Tax Allocation: The Big Red Barn Retreat - \$7,500
- d. FY23 – District 9 Hospitality Tax Allocation: The Bash – Ridgeville High School - \$5,000
- e. FY23 – District 10 Hospitality Tax Allocation: Tri-City Visionaries - \$5,000

Mr. Malinowski moved to approve Items 19(a) – (e), seconded by Ms. Barron.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey and English

Opposed: J. Walker

Not Present: Newton

The vote was in favor.

Mr. Livingston moved to reconsider this item, seconded by Ms. Barron.

Opposed: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey and English

Not Present: Newton

The motion for reconsideration failed.

- f. Adoption of Comprehensive Council Rules – Mr. Malinowski moved to defer this item until the September 13th Council meeting, seconded by Mr. J. Walker.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey and English

Not Present: Newton

The vote in favor was unanimous.

- g. FY 2022-2023 Five Year Consolidated Plan; FY2022 Annual Action Plan – Mr. Livingston moved to approve this item, seconded by Mr. J. Walker/

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey and English



Informational Agenda Briefing

Prepared by:	Michael Maloney, PE	Title:	Interim Director
Department:	Transportation	Division:	
Date Prepared:	March 6, 2023	Meeting Date:	March 28, 2023
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM	
Meeting/Committee	Transportation Ad Hoc		
Subject:	Dirt Road Paving Program Process		

Since the inception of the Transportation Penny Program, Richland County has successfully paved dirt roads across the County’s eleven Council districts. While the work completed to-date has greatly benefitted the community, the County has recognized the need to accelerate its dirt road paving program.

The Transportation Department has evaluated multiple communities across South Carolina to identify the successes and challenges faced by local governments paving their dirt roads. One of the most successful programs evaluated is the Horry County RIDE II and RIDE III dirt road paving program which has paved 232 dirt roads totaling 150 miles in length.

Mead & Hunt, a local engineering consultant who helped set up Richland County’s dirt road paving program, led the dirt road paving program for Horry County. During recent discussions with leaders of the firm, Transportation staff learned that Horry County was able to accelerate dirt road paving by purchasing right-of-way from property owners using up-to-date appraisals instead of voluntary easements as used by Richland County. Property owners who do not accept payment for their properties may be settled under condemnation. Only 8 Horry County property owners out of 1543 total were involved in the process that is settled in court.

It is important to note that while condemnation actions include attorney, court fees, acquisition specialists, and the cost of land, Horry County has been able keep land acquisition costs at less than 0.25% of the dirt road paving program’s budget.

ATTACHMENTS:

1. Horry County Program Data
2. Presentation of Process

RIDE II Budget \$100 million

	# of Roads	Length	Easements/P ermissions	Appraisals	Doc. Prep for Condemnation	Settled benefit exceed damages Zero Value	Settled for Appraised Value	Total Appraised Value	Case Dropped for no Show on Court Day	Appraised Value	Settled in Court	Court Settlement	Total Cost
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Group II	43	25	208	12	\$29,700.00	7	3	\$4,500.00	0	\$0.00	2	\$27,000.00	\$61,200.00
Group III	49	25	263	12	\$29,700.00	6	1	\$1,600.00	4	\$0.00	1	\$21,700.00	\$53,000.00
Group IV	54	25	349	5	\$12,375.00	5	0	\$0.00	1	\$0.00	0	\$0.00	\$12,375.00
TOTAL	195	100	1066	95	\$235,125.00	58	20	\$87,100.00	10	\$17,000.00	8	\$145,700.00	\$484,925.00

% Cost of Acquisition/Program Cost 0.485%

RIDE III Budget \$100 million

Group I	18	25	271	0	0	0	0	0	0	0	0	0	\$0.00
Group II	19	25	206	2	\$7,000.00	0	0	\$1,000.00			0		\$8,000.00
TOTAL	37	50	477	2	\$7,000.00	0	0	\$1,000.00	0	0	0	0	\$8,000.00
TOTAL	232	150	1543	97	\$242,125.00	58	20	\$88,100.00	10	\$17,000.00	8	\$145,700.00	\$492,925.00
% CONDEMNATION				6.29%			1.30%				0.52%		

% Cost of Acquisition/Program Cost 0.246%

Anticipated cost

TRANSPORTATION PENNY REPORT

Richland County Department of Transportation



INCOMPLETE DIRT ROAD PAVING PROJECTS

PROJECT NAME	COUNCIL DISTRICT	DISTRICT RANKING	LENGTH (LINEAR FEET)	PROGRAM PRIORITIZATION	NOTES
Timmons Rd.	1	29	1,380	Years 1&2	Dropped at Consent/Denial
Walter McCartha Rd.	1	30	800	Years 1&2	Dropped at Consent/Denial
Wilbur Bickley Rd.	1	24	749	Years 1&2	Dropped at Consent/Denial
Willard Bouknight Rd.	1	23	1,043	Years 1&2	Dropped at Consent/Denial
Manus Rd.	1	7	370	Year 1&2	Dropped during Design
Ollie Dailey Rd.	1	21	974	Years 1&2	Dropped during Design
River Oaks Rd.	1	N/A	3,509	Program Start	Dropped during Design
Shady Grove Church Rd.	1	32	423	Years 1&2	Dropped during Design
Broad Bluff Pt.	1	19	611	Years 1&2	FY 22/23 updated evaluation
Ken Webber Rd.	1	16	1,772	Years 1&2	FY 22/23 updated evaluation
Lum Rd.	1	33	1,730	Years 3&4	FY 22/23 updated evaluation
Peachtree Dr.	1	28	393	Years 1&2	FY 22/23 updated evaluation
Pebble Shore Rd.	1	6	824	Years 1&2	FY 22/23 updated evaluation
Stone House Rd.	1	35	4,059	Years 3&4	FY22/23 updated evaluation
Bakersland Rd.	1	40	2,203	Years 3&4	Passed Consent/Denial
Amick Dr.	1	2	246	Years 1&2	ROW incomplete
Eastview Dr.	1	15	861	Years 1&2	ROW incomplete
George Addy Rd.	1	N/A	4,356	Program Start	ROW incomplete
Hermes Rd.	1	N/A	247	Program Start	ROW incomplete
Huggins Ave.	1	45	825	Years 3&4	ROW incomplete

Sample of the 205 incomplete program roads



INCOMPLETE DIRT ROAD PAVING CAUSE

The process is the root cause:

“(4) In order to incorporate community input before roads are paved, notice shall be sent by the Department of Transportation, or its designee, by mail requiring a return receipt to the last known address of all abutting property owners whose property would be affected by such change. Each owner shall have thirty (30) days to respond. If twenty-five (25%) percent or more of all such property owners decline said road paving, then the subject road shall not be paved.”



REVIEW

- Current Recommendations:
 1. Use of all available resources; find additional resources
 2. Recommend \$6M be annually allocated for resurfacing
 3. Present to Council modifications to the dirt road paving process
 4. Greater emphasis on schedule
 5. Emphasize public communication



WELCOME!

Richland County

Dirt Road Program

Overview of Horry County's Dirt Road Program

- RIDE II (2006) and RIDE III (2016) Sales Tax Programs
 - 200 miles of Dirt Road Paving
 - 272 projects
 - Over 2700 easements
 - \$160 million Budget



Current Status of the Dirt Road Program

- RIDE II (Completed)
 - Started 2007
 - 4 groups of 25 miles- 100 total miles
 - 191 Projects
 - \$100 million Budgeted
 - Secured 1,066 easements
 - Actual Expenditures- \$57 million

A \$43 million savings



Current Status of the Dirt Road Program

- RIDE III- Ongoing
 - Started 2017
 - 4 groups of 25 miles- 100 total miles
 - 77 projects
 - \$60 million budgeted
 - 1,543 anticipated easements to acquire



Current Status of the Dirt Road Program

RIDE III- Ongoing

- Group 1
 - 18 projects completed
 - *No condemnations*
- Group 2
 - 19 projects
 - 2 condemnations
 - 14 projects let to construction
 - Anticipate construction completion by end of 2023

Group 1 & 2: 536 easements have been acquired to date



Why is Horry County Successful?

- Ability to CONDEMN
- Debunking the Myths of Condemnation
- Cost of Condemnation to the Project
- Lessons Learned

Debunking the Myths of Condemnation



Resident should donate the property or not get their road paved

- This is antiquated thinking that does not move your program forward
- People are not always willing to donate- especially if its fee simple
- Some properties do not benefit from having their road paved
 - Their property may have an additional access to an existing paved road

Debunking the Myths of Condemnation



Condemnation costs too much

- It actually lowers program costs- we have the data to prove it!
- Delaying project creates much higher construction escalation costs
- For many cases, you have already paid for some level of design fees

Debunking the Myths of Condemnation



Everyone will take us to Court

- Ride II – 1,066 easements were secured, only 8 were trialed in court (0.75%)
- Ride III – 536 easements were secured for Group 1 & 2 with only 2 potential condemnations

Cost of Condemnation to the Project

Summary of RIDE II 100-mile Dirt Road Paving Program Started May 2007 and Completed 2020

Group #	# of Projects	Total Length in Miles	# of Road & Drainage Easements Acquired	Appraisals	Appraisal Cost	Benefit Exceeds Damages	Settled for Appraised Value	Total Appraised Value	# of Filled Condemnations	Condemnations Settled Before Court	Condemnations Settled in Court	Court Settlement	Total Condemnation Cost Plus Settlements	% Condemnation of acquired Easements	% Condemnation Cost of Total Budget	Time to Complete (in Months)	Budget (in Millions)	Actual Cost (in Millions)
Group I	49	25	246	66	\$163,350.00	40	16	\$81,000.00	10	5	5	\$97,000.00	\$341,350.00	4.07%	2.97%	28	\$25.00	\$11.50
Group II	43	25	208	12	\$29,700.00	7	3	\$4,500.00	2	0	2	\$27,000.00	\$61,200.00	\$0.01	0.53%	36	\$25.00	\$11.50
Group III	49	25	263	12	\$29,700.00	6	1	\$1,600.00	5	4	1	\$21,700.00	\$53,000.00	1.90%	0.39%	42	\$25.00	\$13.50
Group IV	54	25	349	5	\$12,375.00	5	0	\$0.00	1	1	0	\$0.00	\$0.00	\$0.00	0.00%	42	\$25.00	\$21.00
Total	195	100	1,066	95	\$235,125.00	58	20	\$87,100.00	18	10	8	\$145,700.00	\$455,550.00		0.792%		\$100.00	\$57.50

Cost of Condemnation to the Project

Summary of RIDE III 100-mile Dirt Road Paving Program Started May 2017 and On-Going

Group #	# of Projects	Total Length in Miles	# of Road & Drainage Easements Acquired	Appraisals	Appraisal Cost	Benefit Exceeds Damages	Settled for Appraised Value	Total Appraised Value	# of Filled Condemnations	Condemnations Settled Before Court	Condemnations Settled in Court	Court Settlement	Total Condemnation Cost Plus Settlements	% Condemnation of acquired Easements	% Condemnation Cost of Total Budget	Time to Complete (in Months)	Budget (in Millions)	Actual Cost (in Millions)
Group I	18	25	271	0	\$0.00	0	0	\$0.00	0	0	0	\$0.00	\$0.00	0.00%	0.00%	40	\$15.00	\$18.30
Group II	19	25	265	2	\$7,000.00	0	0	\$1,000.00	0	0	0	\$0.00	TBD	TBD	TBD	42	\$15.00	TBD
Group III	20	25	TBD														\$15.00	TBD
Group IV	20	25	TBD														\$15.00	TBD
Total	77	100	536	2	\$7,000.00	0	0	\$1,000.00	0	0	0	\$0.00	\$0.00	0.00%	0.00%	82	\$60.00	\$18.30

Lessons Learned

- Establishing one point of contact for the team working on the project
- Proper documentation including video taping every road for existing conditions
- Sending a letter to property owners requesting feed back
- Survey flags with project manger contact information to encourage property owner to reach out

Lessons Learned

- Visiting the site with R/W agent to evaluate potential impacts
- Avoidance and minimizing potential impacts during development of the preliminary design
- Approach the impacted property owners with preliminary design and get their feed back
- Secure all the easements from the willing property owners first

Lessons Learned

- Clear understanding on compromises that can be offered to property owners to secure the easement
 - Move shrubs
 - Wider driveway
 - Compensation for trees
 - Resetting or replacing a fence
- Keep the line of communication open with the unwilling property owners during the development of the design

Lessons Learned

- Condemnation should be the last resort
 - All reasonable efforts have been exhausted to secure easement
- Send a letter to the property owner with a deadline. If easement is not signed, County will exercise Eminent Domain and file for condemnation

QUESTIONS?



Informational Agenda Briefing

Prepared by:	Michael Maloney, PE	Title:	Interim Director
Department:	Transportation	Division:	
Date Prepared:	March 6, 2023	Meeting Date:	March 28, 2023
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM	
Meeting/Committee	Transportation Ad Hoc		
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Cost of Condemnation to the Project

Summary of RIDE II 100-mile Dirt Road Paving Program Started May 2007 and Completed 2020

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Cost of Condemnation to the Project

Summary of RIDE III 100-mile Dirt Road Paving Program Started May 2017 and On-Going

Group #	# of Projects	Total Length in Miles	# of Road & Drainage Easements Acquired	Appraisals	Appraisal Cost	Benefit Exceeds Damages	Settled for Appraised Value	Total Appraised Value	# of Filled Condemnations	Condemnations Settled Before Court	Condemnations Settled in Court	Court Settlement	Total Condemnation Cost Plus Settlements	% Condemnation of acquired Easements	% Condemnation Cost of Total Budget	Time to Complete (in Months)	Budget (in Millions)	Actual Cost (in Millions)
Group I	18	25	271	0	\$0.00	0	0	\$0.00	0	0	0	\$0.00	\$0.00	0.00%	0.00%	40	\$15.00	\$18.30
Group II	19	25	265	2	\$7,000.00	0	0	\$1,000.00	0	0	0	\$0.00	TBD	TBD	TBD	42	\$15.00	TBD
Group III	20	25	TBD														\$15.00	TBD
Group IV	20	25	TBD														\$15.00	TBD
Total	77	100	536	2	\$7,000.00	0	0	\$1,000.00	0	0	0	\$0.00	\$0.00	0.00%	0.00%	82	\$60.00	\$18.30

Lessons Learned

- Establishing one point of contact for the team working on the project
- Proper documentation including video taping every road for existing conditions
- Sending a letter to property owners requesting feed back
- Survey flags with project manger contact information to encourage property owner to reach out

Lessons Learned

- Visiting the site with R/W agent to evaluate potential impacts
- Avoidance and minimizing potential impacts during development of the preliminary design
- Approach the impacted property owners with preliminary design and get their feed back
- Secure all the easements from the willing property owners first

Lessons Learned

- Clear understanding on compromises that can be offered to property owners to secure the easement
 - Move shrubs
 - Wider driveway
 - Compensation for trees
 - Resetting or replacing a fence
- Keep the line of communication open with the unwilling property owners during the development of the design

Lessons Learned

- Condemnation should be the last resort
 - All reasonable efforts have been exhausted to secure easement
- Send a letter to the property owner with a deadline. If easement is not signed, County will exercise Eminent Domain and file for condemnation

The slide features a background of overlapping geometric shapes in various shades of blue and green. A white rectangular box is centered on the slide, containing the word "QUESTIONS?" in a bold, dark blue, sans-serif font. The box has a thin black border at the top and a thin blue border at the bottom.

QUESTIONS?