



Richland County Council  
Transportation Ad Hoc Committee  
July 28, 2020 – 1:00 PM  
Zoom Video Conference

COMMITTEE MEMBERS PRESENT: Calvin “Chip” Jackson, Chair; Paul Livingston, Bill Malinowski, Yvonne McBride and Dalhi Myers

OTHERS PRESENT: Chakisse Newton, Jim Manning, Michelle Onley, Kimberly Toney, Allison Steele, Jennifer Wladischkin, Leonardo Brown, John Thompson, Rasheed Muwwakkil, Mohammed Al-Tofan, Ali Eliadorani, Ashiya Myers, Angela Weathersby, Michael Niermeier, Michael Maloney, Kyle Holsclaw, Jeffrey McNesby and Elizabeth McLean

1. **Call to Order** – Mr. Jackson called the meeting to order at approximately 1:00 PM.
2. **Approval of Minutes: June 30, 2020** – Mr. Livingston moved, seconded by Mr. Malinowski, to approve the minutes as distributed.

In Favor: Malinowski, Livingston, and Jackson

Not Present: McBride and Myers

The vote in favor was unanimous.

3. **Adoption of the Agenda** – Mr. Malinowski moved, seconded by Mr. Livingston, to adopt the agenda as distributed.

In Favor: Malinowski, Livingston, Jackson and Myers

Not Present: McBride

The vote in favor was unanimous.

4. **Items for Information:**

- a. **Dirt Road Program Update** – Ms. D. Myers inquired if there was any backup documentation that goes with this item.

Ms. Steele responded that they are still sifting through the PDT files; therefore, no backup documentation was provided because they did not want to provide incomplete information.

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Mr. McNesby, the Project Manager overseeing the Dirt Road Pavement Program, stated they are going to breakdown the program into two (2) areas: Years 1 and 2 packages and Years 3 and 4 packages. In the Years 1 and 2 packages, they have completed construction on 20 of the dirt roads since the creation of the Transportation Program. While a number of the roads were dropped from consideration, they were asked by Council to reconsider/reevaluate 21 dirt roads that were looked at as possibly being redesigned, with a goal of getting those roadways moving forward. They mailed letters to 331 property owners on those 21 dirt roads. Interestingly, of the 331 letters, only 6 of them were returned with the property owners stating they did not want their dirt road paved. Therefore, all 21 of the dirt roads meet the minimal threshold of 75% consent to move back into design. Based on the positive feedback, they are recommending that the Ad Hoc Committee forward a recommendation to Council to relaunch the design work on these 21 dirt roads. Of the 21 dirt roads, 15 were stopped due to our inability to obtain fee simple right-of-way, 4 were stopped due to design issues, and 2 made it into construction where field issues were identified. At that time, the projects were removed from consideration. The goal is to get back to the property owners who previously denied the County right-of-way and talk to them about their concerns and see if there any potential changes that could move the roadway back into construction. Some of the property owners felt the County was taking too much of their land. These roads would likely have 11 ft. lanes, a shoulder and 2 roadside ditches. If that was considered to be too much, or would have too close of an impact to a home, staff could always look at narrowing the profile of that road.

Staff has held initial meetings with the On-Call Engineering Teams to review the status of the roads assigned to their team for the Years 3 and 4 Program. The goal is to try to get the projects moving from design and into construction. There are five (5) OETs and each have been assigned approximately 10 roadways. A number of the designs, assigned to these teams, were dropped at some stage during construction. There are 62 roads in the Years 3 and 4 packages, 11 of these were dropped at the consent/denial stage, 27 were dropped during the design of right-of-way acquisition stage, and 24 were dropped during design. Homes being too close to the roadway was one of the issues identified. One of the OETs was assigned 12 roadways, and, of those, 11 were dropped. When staff sat down with the OET, they talked about why the roadways dropped. Some of them were very simple issues where one homeowner might not want the road paved, so there is the potential to adjust the roadway. Of the 62 roads, they anticipate approximately 30 of them will a move forward, with a goal to get the number higher.

Ms. Steele stated after looking through the PDT's notes and reviewing why the roads were dropped from the program, they believe they can go back and address some of the simple issues and get some of the roads back on the list.

Mr. Malinowski requested the minutes from when Council requested the 21 roads from Years 1 and 2 be reevaluated. Also, he believes the right-of-ways on these roads should be consistent. If one landowner is giving 30 ft., then the person next door should not be allowed to only give 10 ft.

Mr. McNesby responded that is a fair request. Staff is at the initial stage in discussions. They do have the PDTs notes regarding their previous discussions with the property owners, but the files do not contain a lot of the information they would deem necessary to make a decision. As a group, they want to go back to the property owners and talk to them, and figure out their concerns. In many cases, the property owners just want to be heard.

Ms. Steele stated, when they discuss changing the road width, it would affect the whole roadway and not just in front of one property owner.

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Ms. D. Myers requested a list of the roads they have gone back over. She stated sometime back we discussed alternate methods of paving. She inquired if we have gotten any movement on exploring alternate means of paving that may be less expensive. The budgetary impact of this has not been discussed, but the County obviously does not have unlimited funds.

Ms. Steele responded we have not. What they are typically going with is the low-volume manual that the County created when the program was started. She does not know if that manual was referenced in the referendum, and therefore what they are confined to. She indicated she can do some research, and, if they are not confined to going by the low-volume manual, then they may be able to look at alternatives.

Ms. D. Myers stated the referendum does not require the use of the low-volume manual, so if it could be researched before we expend all this money. She stated we will run out of money long before we run out of roads, if we use the traditional paving methods.

Ms. Steele stated, if they do utilize an alternative method, the maintenance crew would have to go out once or twice a year to renew the material they put down.

Ms. D. Myers stated there are more technologically advanced methods available than the methods we are currently aware of. When we had the initial discussion, about revisiting the dropped roads, we were going to look at designs that were less strenuous. She inquired if we have scaled back the design on these roads, or are we still at the "interstate style" design.

Ms. Steele responded that is what they will be addressing with the OETs. As Mr. McNesby said, they are just now relaunching the programs. They are definitely going to ask that the OETs look at value engineering, which would be the most cost efficient, with the minimum standards for a safe road.

Ms. D. Myers stated, for clarification, the OETs are not using the designs that we had for the roads.

Ms. Steele responded they are using the minimum allowed design for safety. If they do have designs that are more than the minimum allowable, staff will have them redesign a more cost efficient design.

Mr. Malinowski stated, if a person initially declined to have the road paved, he believes it is unfair to have them get a 2<sup>nd</sup> chance to have their road paved before everyone has had the opportunity to have their roads paved. He believes we should go through all the dirt roads and find out who wants them, and then we can go back to those that initially turned it down.

Mr. Jackson stated he agrees with Mr. Malinowski, in principle, but his concern is this is the 3<sup>rd</sup> iteration of someone being assigned the dirt road projects. Now that the in-house staff has the responsibility, he is not sure if what someone said to one of the earlier groups may still be valid. If the approach made by these earlier groups was so aggressive that it forced someone to turn it down, and the approach now is going to be radically different, those individuals may be inclined to reconsider their denial.

Ms. McBride cautioned us on using cheaper products and having to constantly rebuilding; therefore, she stated we should not settle for cheapness, which does not last, while also using the most cost efficient methods.

Mr. Jackson requested that once the requested research has been done that it be brought back to the committee, and to provide backup documentation for the committee members.

5. **Items for Action:**

- a. **Clemson Rd. Widening Project – Waterline Deeds** – Mr. Niermeier stated the item before the committee is a request to deed over utility lines to the City of Columbia. As a part of the Clemson Road Widening Project, the County constructed these waterlines. As we move forward, the lines have to be deeded over to the City. Legal has reviewed, but not stamped, the deed provided by the City of Columbia. Once the deed is recommended for approval by the committee, it will be stamped, in form, and can move forward to Council for First Reading.

Mr. Malinowski stated, in the briefing document, it says, “The City requires that these waterlines be deeded over to them so that they can abandon the old waterlines and begin use of the new lines.” He inquired if these old lines will be removed or left in place, and who is responsible for those lines if something were to happen with them.

Ms. Steele responded she would have to look at the construction plans to be determine if the old waterlines will be capped and remain in place. Until we have the Three Readings, and the ordinance is signed, the waterlines are the responsibility of the County.

Mr. Malinowski stated the deed begins with, “FOR VALUE RECEIVED”. He inquired what the value is, and if the value should be included in the deed.

Ms. McLean responded “value received” would be the City taking these lines and maintenance; therefore, we would not need to put a number in the document.

Mr. Malinowski noted, on the last page of the deed, it states, “This paragraph is null and void upon completion of the Clemson Road Widening Project.” It seems to him that if we are putting in 3 miles of widenings, and the waterlines are in the first mile, we should not be responsible for these lines when we are nowhere near them.

Ms. McLean stated they worked on the language, and tried to tighten it up. She noted they attempted to have the paragraph taken out altogether. If the committee is not comfortable with the paragraph, they can try to keep working on the language prior to Third Reading.

Mr. Malinowski stated in the same paragraph there is language that says, “...Grantor in connection with the initial installation of streets, paving, curbs and gutters, storm drainage lines, sanitary sewer lines, utility lines, final grading...”. If you have final grading, and you have moved down the road, they have nothing to do with waterlines. When you look through the deed, every paragraph starts with a description and the word “waterlines”. He does not know why this is in here is we are responsible for waterlines. He can see us being responsible one time for completion and grading, but not to be held responsible after that.

Ms. McLean responded she thinks the intent was that if we went out there to do anything, until the lines are turned over, and the lines were damaged we would take care of.

Mr. Jackson stated, for clarification, are we saying, when we get through the Three Readings and a Public Hearing, and the waterlines are turned over to the City, there would be some future obligation and responsibility for the County, if the lines were damaged.

Ms. McLean responded we were trying to make it clear that once this deed is executed, and filed, we have no liability. The City is trying to make it clear that until we turn it over, it is our responsibility.

Mr. Jackson inquired about how long we are anticipating this project to be ongoing.

Mr. Malinowski stated he does not think we need to be responsible for the City's existing waterlines, when time and age has caused something to happen.

Ms. McLean stated the language speaks to damage we cause, if we were to go out there to do any more road construction. It says, "County, its contractor, agent, or any party acting on our behalf."

Mr. Niermeier responded the project is scheduled to be completed in January 2021.

Mr. Jackson stated, for clarification, the window of risk is approximately 4 – 5 months.

Mr. Livingston moved, seconded by Mr. Malinowski, to forward to Council with a recommendation for approval.

Mr. Jackson stated this deed is not to be presented to full Council without the deed being stamped by Legal.

In Favor: Malinowski, McBride, Livingston, Jackson and Myers

The vote in favor was unanimous.

Mr. Malinowski stated he had someone request an update on actions Council took on the descoping projects in May 2019. He inquired if this approval means the Transportation Department can move forward with everything that was related to those projects.

Mr. Jackson responded the short answer is yes; however, he learned there are 1 – 2 projects that may be above the referendum amount and will need to be brought back to Council. We may still want to move forward with them, but he does not want it to be determined that the presentation was made with the understanding there were 1 – 2 projects that still did not fall under the referendum limit.

6. **ADJOURN** – The meeting adjourned at approximately 1:44 PM.