



TO: Mayor and City Council

FROM: Rachelle Moody, Interim City Administrator

DATE: April 16, 2020

SUBJECT: Regular City Council Meeting of April 20, 2020

REGULAR COUNCIL MEETING

ITEM 5. PERSONNEL: Employee of the Quarter – January, February, and March 2020- Robert Briggs

The City of North Augusta Employee Recognition Committee would like to announce the employee of the quarter for January, February, March 2020, Robert Briggs, Sanitation Worker I, with the Department of Public Services.

Robert started his employment with the City of North Augusta on July 5, 2012.

Robert works independently in the Sanitation Division collecting metal, white goods, and performs other tasks as requested. He is also the sanitation staff member that completes various work order tasks and fills in when other employees are absent.

Robert is an outstanding, dedicated City of North Augusta employee with a great positive attitude. He demonstrates a high value work ethic and is always courteous to others. Robert has received praise from both city staff and citizens with his willingness to go above and beyond his scope of duties.

During the month of March, Robert assisted a young lady on Macklin Lane whom just had a baby and forgot to roll her trash cart out to the curbside. Robert, without prompting, proceeded to roll the cart out curbside and dump it for the customer. The young mother was most appreciative that a City of North Augusta staff member had made sure her trash wasn't skipped. She called and left a voice message along with a picture from her front door bell camera of Robert in action.

Robert Briggs is a tremendous asset to the Public Services Department and the City of North Augusta workforce.

Congratulations to Robert Briggs, our employee of the first quarter of 2020. We have a plaque for you and monetary prize of \$50.

The City of North Augusta Employee Recognition Committee would also like to share the following submission from Tanya Strickland, Stormwater Superintendent:

"I would like to nominate each employee that has had to continue arriving each day to conduct their jobs and don't have the option to work from home at all. Every one of those employees deserve recognition this quarter.

This pandemic has affected everyone in different ways, but each of us are stressed by the invisible virus that may be lurking on things, equipment, co-workers, door handles, bags, roll carts, shovels,...anywhere! There are those employees that do not get to go home and stay put in the safety of their homes where they can control all of the surfaces, personal items and things they bring in to them, for any time since this started. These many dedicated North Augusta public servants are dealing with the invisible stress every single day, with no let-up, no break at all except normal time at home. They are the ones that deserve this award. I admire how they have handled it. They come in and do their jobs just as if the pandemic never arrived. They are ready, willing and able every day. But I am sure it's on their minds more than any of us can imagine. It's got to be hard on them and their family. They are the truly award worthy employees of this quarter of 2020, the Covid quarter, and hopefully the only one."

NEW BUSINESS

ITEM 6. PLANNING AND DEVELOPMENT: Resolution No. 2020-14 – Accepting a Deed of Dedication for the Water Distribution System, Sanitary Sewer, and Associated Easements and Rights of Way, Along with a Maintenance Guarantee and Letter of Credit for LeCompte Townhomes.

A resolution has been prepared for Council's consideration to accept a Deed of Dedication for the water distribution system, sanitary sewer, and associated easements and rights of way, along with a Maintenance Guarantee and Letter of Credit for LeCompte Townhomes.

Please see ATTACHMENT #6 for a copy of the proposed resolution and supporting documents.

ITEM 7. ENGINEERING AND PUBLIC WORKS: Resolution No. 2020-15 – A Resolution Authorizing the Acceptance of the Low Bid of Reeves Construction Co. for the Lynnhurst Drainage Improvement Project

A resolution has been prepared for Council's consideration to authorize the acceptance of the low bid of Reeves Construction Co. for the Lynnhurst Drainage Improvement Project.

Please see ATTACHMENT #7 for a copy of the proposed resolution and supporting document.

ITEM 8. ADMINISTRATIVE REPORTS

ITEM 9. PRESENTATIONS/COMMUNICATIONS/RECOGNITION OF VISITORS

- A. Citizen Comments: At this time, citizens may speak to Mayor and City Council regarding matters not listed on the agenda.
- B. Council Comments:

ITEM 10. ADJOURNMENT

ATTACHMENT #6

RESOLUTION NO. 2020-14
ACCEPTING A DEED OF DEDICATION FOR THE
WATER DISTRIBUTION SYSTEM, SANITARY SEWER, AND ASSOCIATED
EASEMENTS AND RIGHTS OF WAY, ALONG WITH A MAINTENANCE
GUARANTEE AND LETTER OF CREDIT,
FOR LECOMPTE TOWNHOMES

WHEREAS, Park Ridge Builders, Inc. developed Lecompte Townhomes, according to the requirements of the North Augusta Planning Commission and the City, and owns the streets, utilities and easements; and

WHEREAS, pursuant to §5.8.4.3 of the North Augusta Development Code, the Director of Planning and Development and the City Engineer approved the final subdivision plat for recording on February 13, 2020, and

WHEREAS, it is the policy of the City that, upon approval of a final subdivision plat, the City will, following inspection by the City's Engineering department, accept a deed of dedication for utilities, etc. for the purpose of ownership and maintenance when said deed is accompanied by a maintenance guarantee; and

WHEREAS, a maintenance guarantee and supporting letter of credit accompany the deed; and

WHEREAS, the City Engineer has made final inspection of the subject improvements and these improvements meet City standards.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof, do hereby accept a deed of dedication for:

.A perpetual non-exclusive access and utility easement over and upon that area designated as 46' Access and Utility easement as shown on a plat prepared by John M. Bailey & Associates, P.C., dated December 5, 2019 and recorded in the Office of the RMC for Aiken County, South Carolina, in Book 61, at Page 908; reference being made to said plat for a more complete and accurate description as to the metes, bounds and location of said property.

TOGETHER with any and all portion of said property containing and encompassing all of the water lines, sanitary sewer lines, valves, connections, and related infrastructure, and appurtenances to said premises belonging or in any way incident or appertaining, located within said property in accordance with and as shown on the above referenced plat.

TOGETHER with all water lines and sanitary sewerage collection systems located on the property shown on the aforesaid plat; and a perpetual and non-exclusive

RESOLUTION ACCEPTING DEED OF DEDICATION –
LECOMPTE TOWNHOMES

Page 2

easement for the water lines and sanitary sewage, as well as the necessary ingress and egress to reach the aforesaid.

This being the same property conveyed to Park Ridge Builders, Inc. by deed of Glynn Bruker, dated March 21, 2019 and recorded on March 25, 2019 in RB 4768, Page 2409, aforesaid RMC Office.

Tax Map & Parcel Number: 006-19-13-005

BE IT FURTHER RESOLVED that a Maintenance Guarantee and check in the amount of \$1,500.00 are hereby accepted.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 2020.

Robert A. Pettit, Mayor

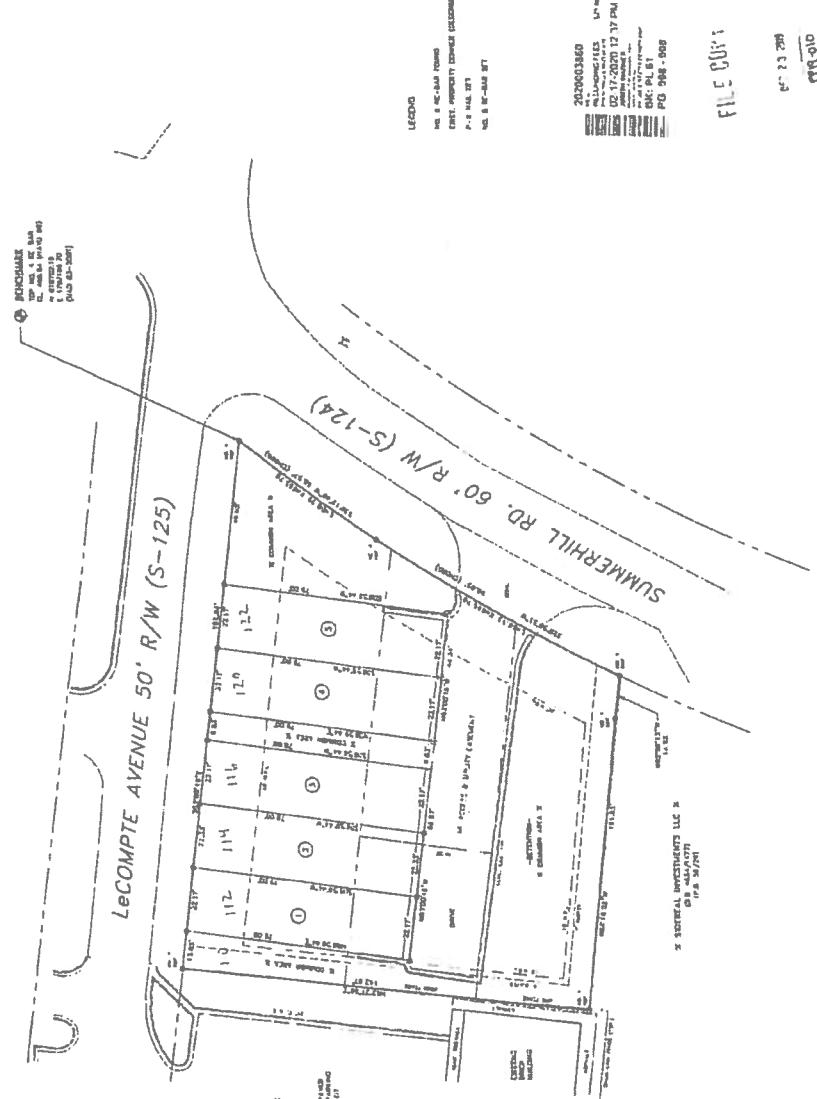
ATTEST:

Sharon Lamar, City Clerk



PROJECT No. 18053 DATE: _____ REVISIONS: _____

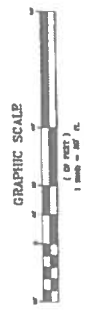
FINAL SUBMISSION PLAT SHEET 1



LEGEND
 1/4" = 1' SCALE
 1/8" = 1' SCALE
 1/16" = 1' SCALE

FILED
 OCT 23 2011
 REC'D
 NEW Spc 1

GLYNN BRUKER
 PROFESSIONAL ENGINEER
 LICENSE NO. 11003
 STATE OF GEORGIA



PROJECT DATA
 AREA: 0.48 AC.
 PROJECT TO: 08-11-11-000
 DE: OFFICE DEVELOPMENT
 ZONING: R-10
 20' SETBACK
 3' SETBACK
 10' SETBACK

CITY ENGINEER'S CERTIFICATION
 I HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROJECT IS IN ACCORDANCE WITH THE CITY OF ATLANTA ZONING ORDINANCES AND THE CITY ENGINEER'S CERTIFICATION IS IN FULL COMPLIANCE WITH THE CITY OF ATLANTA ZONING ORDINANCES.
 DATE: 2/12/11

CITY ENGINEER'S APPROVAL
 I HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROJECT IS IN ACCORDANCE WITH THE CITY OF ATLANTA ZONING ORDINANCES AND THE CITY ENGINEER'S APPROVAL IS IN FULL COMPLIANCE WITH THE CITY OF ATLANTA ZONING ORDINANCES.
 DATE: 2/12/11

CITY ENGINEER'S CERTIFICATION
 I HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROJECT IS IN ACCORDANCE WITH THE CITY OF ATLANTA ZONING ORDINANCES AND THE CITY ENGINEER'S CERTIFICATION IS IN FULL COMPLIANCE WITH THE CITY OF ATLANTA ZONING ORDINANCES.
 DATE: 2/12/11

OWNER'S CERTIFICATION
 I HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROJECT IS IN ACCORDANCE WITH THE CITY OF ATLANTA ZONING ORDINANCES AND THE OWNER'S CERTIFICATION IS IN FULL COMPLIANCE WITH THE CITY OF ATLANTA ZONING ORDINANCES.
 DATE: 2/12/11

OWNER'S CERTIFICATION
 I HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROJECT IS IN ACCORDANCE WITH THE CITY OF ATLANTA ZONING ORDINANCES AND THE OWNER'S CERTIFICATION IS IN FULL COMPLIANCE WITH THE CITY OF ATLANTA ZONING ORDINANCES.
 DATE: 2/12/11

- NOTES:**
1. ALL UTILITIES AND EASEMENTS SHOWN ON THIS PLAN ARE BASED ON THE RECORD PLANS AND FIELD SURVEY DATA.
 2. THE CITY ENGINEER'S CERTIFICATION IS BASED ON THE RECORD PLANS AND FIELD SURVEY DATA.
 3. THE CITY ENGINEER'S CERTIFICATION IS BASED ON THE RECORD PLANS AND FIELD SURVEY DATA.
 4. THE CITY ENGINEER'S CERTIFICATION IS BASED ON THE RECORD PLANS AND FIELD SURVEY DATA.
- REFERENCES:**
1. CITY OF ATLANTA ZONING ORDINANCES
 2. CITY OF ATLANTA ZONING ORDINANCES
 3. CITY OF ATLANTA ZONING ORDINANCES

DATE: 2/12/11
 TIME: 10:00 AM
 LOCATION: 11003
 PROJECT: 08-11-11-000

TOGETHER with all water lines and sanitary sewage collection systems located on the property shown on the aforesaid plat; and a perpetual and non-exclusive easement for water lines and sanitary sewage, as well as the necessary ingress and egress to reach the aforesaid.

This being the same property conveyed to Park Ridge Builders, Inc. by deed of Glynn Bruker, dated March 21, 2019 and recorded on March 25, 2019 in RB 4768, Page 2409, aforesaid RMC Office.

Tax map & parcel number: 006-19-13-005

Grantee's Address: 699 Heggie Ridge Drive
Appling, Ga. 30802

This conveyance is made subject to 2019 real proeprty taxes, and any restrictions, reservations, l licenses, zoning ordinances or easements that may appear of record or on any recorded plats of the premises (collectively called the "Exceptions")

TO HAVE AND TO HOLD said property, and all singular the members and appurtenances therein belonging as aforesaid, and every part thereof, unto the said Party of the Second Part, its successors and assigns, forever.

[SIGNATURES ON FOLLOWING PAGE]

WITNESS the said Party of the First Part has caused these presents to be executed the day and year first above written as the date of these presents.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

[Signature]
Witness (1)
[Signature]
Witness (2)

BY: [Signature] (L.S.)
Glynn Bruker

State of Georgia)
)
County of Columbia)

ACKNOWLEDGMENT

I, [Signature], the undersigned Notary Public, do hereby certify that Glynn Bruker, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

SWORN to before me, this 25th day of February, 2020.

[Signature]
Notary Public of Georgia

My Commission Expires:
(Notary Seal)



To: North Augusta Planning and Zoning

118 LeCompte Avenue, North Augusta, South Carolina 29841
December 18, 2019
R19-708A

CERTIFICATE OF TITLE

ALL those lots or parcels of land with improvements thereon, situate, lying and being in the State of South Carolina, County of Aiken, City of North Augusta, being shown and designated as Lots 13, 14 and 15, Block 117, on a plat prepared by Tony L. Carr, Sr. & Associates, dated May 4, 2001 and recorded in the Office of the RMC for Aiken County, South Carolina, in Book 44, at page 69-2; reference being made to said plat for a more complete and accurate description as to the metes, bounds and location of said property.

This being the same property conveyed to Glynn Bruker by deed of Park Ridge Builders, Inc., dated February 26, 2020 and recorded on March 2, 2020 in RB 4831, Page 37, aforesaid RMC Office.

Tax map & parcel number: 006-19-13-005

This is to certify that we have examined all records affecting title to the property described above from the date on which the same may be first identified of record to date in the public records in the Clerk's Office of Aiken, South Carolina, and BASED UPON SUCH EXAMINATION, it is my opinion that subject to the liens, encumbrances and other exceptions hereinafter set out, the marketable, fee simple title to the aforesaid property is, as of this date vested in:

Glynn Bruker

Such fee simple title, however, is subject to the following liens, restrictions, easements, encumbrances and other exceptions, to-wit:

1. Errors shown by a plat or survey. The exact location on boundary lines, unrecorded easements, and other facts or conditions which would be disclosed by an accurate survey and inspection of the property, or possible liens of laborers or materialmen for improvement of the property, not filed for record prior to the records through date.
2. The rights, if any, of persons who may be in possession under claims not appearing of record, or other matters not of record, including, any prescriptive rights or claims to removable fixtures, forgery, insanity, or minority of a maker.
3. Violation of any zoning ordinances or restrictive covenants.
4. All County, City, State and/or School taxes for the current year. 2019 County Taxes, \$2,057.55, DUE AND PAYABLE, 2018 City Taxes, \$518.18, PAID. *2019 City Taxes not yet due and payable.
5. All matters which may be improperly indexed by any Federal, State, County or Municipal governmental agency or office.
6. Mortgage executed by Park Ridge Builders, Inc. to First State Bank dated March 21, 2019, in the original sum of \$1,011,845.00 and recorded in the Office of the RMC of Aiken County, South Carolina in RB 4768, Page 2413; which constitutes a valid first lien on subject property.
7. All matters as shown on a plat recorded in the RMC Office of Aiken County, South Carolina, in Book 44, Page 69-2.

This title is certified down to March 12, 2020 at 12:30 p.m.


CLINTON M. SHEAROUSE
Attorney at Law

CMS:lm

AND the Grantor does hereby bind itself, its Successors and Assigns, Executors and Personal Representatives to warrant and forever defend, all and singular, the premises unto the Grantee, his/her/its/their Heirs and Assigns, against itself and against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, to all Grantor's right, title and interest thereto during its period of ownership of this property.

Any reference in this instrument to the singular shall include the plural, and vice versa. Any reference to one gender shall include the others, including the neuter. Such words of inheritance shall be applicable as are required by the gender of the Grantee.

WITNESS my Hand and Seal, this 25 day of February, 2020.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

[Signature]
Witness (1)

[Signature]
Witness (2)

Park Ridge Builders, Inc,

By: [Signature] (Seal)
Glynn Bruker
As its: President

State of Georgia)
)
County of Columbia)

ACKNOWLEDGMENT

I, [Signature], the undersigned Notary Public, do hereby certify that Glynn Bruke the President of Park Ridge Builders, Inc., personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

SWORN to before me, this 25 day of February, 2020.

[Signature]
Notary Public of [Signature]

My Commission Expires:

(Notary Seal)



Exhibit "A"

ALL those lots or parcels of land with improvements thereon, situate, lying and being in the State of **South Carolina**, County of **Aiken**, City of North Augusta, being shown and designated as **Lots 13, 14 and 15, Block 117**, on a plat prepared by Tony L. Carr, Sr. & Associates, dated May 4, 2001 and recorded in the Office of the RMC for **Aiken County, South Carolina**, in **Book 44**, at **page 69-2**; reference being made to said plat for a more complete and accurate description as to the metes, bounds and location of said property.

Said property is conveyed subject to and with notice of the following matters: a) drainage easements, building setback lines, and all other matters shown on the plat of record; b) general utility easements and road right-of-way grants and easements.

Said property is hereby conveyed subject to any and all other easements and restrictions of record in the aforesaid Clerk's office.

This being the same property conveyed to Park Ridge Builders, Inc. by deed of Glynn Bruker, dated March 21, 2019 and recorded on March 25, 2019 in Book/Volume 4768, at page 2409, aforesaid RMC Office.

Tax map & parcel number: **006-19-13-005**

State of Georgia)
County of Jefferson)

Probate

PERSONALLY appeared before me the above signed Witness 1 and made oath that he/she saw the within named Granor, sign, seal, and as his/her/its/their act and deed, deliver the within written Partial Release, and that the said Witness 1 with Witness 2, witnessed the execution thereof

SWORN to before me, this 18th day of March 2020

Jenniffer A. Davis Brittany Davis
Notary Public of Jefferson Co Witness (1)

My Commission Expires:

(Notary Seal) Notary Public, Jefferson Co., Georgia
My Commission Expires May 2, 2022

STATE OF Georgia
COUNTY OF Jefferson

Affidavit

PERSONALLY APPEARED BEFORE ME the undersigned, who, being duly sworn, deposes and says that FIRST STATE BANK is, at the time of making this Partial Release, the bona fide owner and holder of the within described mortgage, and that the same has not been assigned, hypothecated or otherwise disposed of, that the deponent has full authority to make this satisfaction and cause said property to be released from the mortgage of record.

SWORN to and subscribed before me this 18th day of March 2020

Jenniffer A. Davis FIRST STATE BANK
Notary Public By: [Signature] (Seal)
My Commission Expires: Print Name: E. Leckbank

(NOTARY SEAL)

As its: President/CEO (Title)

Notary Public, Jefferson Co., Georgia
My Commission Expires May 2, 2022

STATE OF SOUTH CAROLINA)
)
COUNTY OF AIKEN) **MAINTENANCE GUARANTEE**

NAME OF SUBDIVISION: **Lecompte Townhomes**

DEVELOPER/OWNER: **Glynn Bruker**

DATE OF FINAL SUBDIVISION PLAT APPROVAL: **February 13, 2020**

MAINTENANCE GUARANTEE AMOUNT: **\$1,500.00**

WHEREAS, Glynn Bruker has submitted a final plat for Lecompte Townhomes, prepared by John M. Bailey and Associates, dated December 5, 2019, for 5 townhouses situated in the City of North Augusta, County and State aforesaid; and

WHEREAS, the North Augusta Planning Commission, meeting on August 16, 2018, did grant major subdivision plan (preliminary plat) approval for Lecompte Townhomes, and the Director of Planning and Development and the City Engineer signed the major subdivision plan (preliminary plat) on February 21, 2019, and a modification to the major subdivision plan (preliminary plat) on October 31, 2019; and

WHEREAS, the developer developed the approved major subdivision plan for Lecompte Townhomes; and

WHEREAS, the City Engineer has inspected the infrastructure improvements for Lecompte Townhomes and has duly certified that said improvements are, to the best of his knowledge based upon such inspection, built to the City of North Augusta design standards; and

WHEREAS, pursuant to §5.8.4 of the North Augusta Development Code, the Director of Planning and Development and the City Engineer approved the final subdivision plat for recording on February 13, 2020; and

WHEREAS, the Director of Planning and Development and the City Engineer recommend that the City accept from the developer a Maintenance Guarantee to insure that proper workmanship and materials were in fact used in regard to infrastructure improvements and to insure that, in the event of failure in regard to said improvements for any reason except force majeure, the City would have adequate funds necessary to return such improvements to an acceptable condition.

NOW, THEREFORE, as security for the maintenance by the developer of the infrastructure improvements as shown on the final subdivision plat for Lecompte Townhomes, as well as for any other improvements provided and proposed to be granted to the City by deed of dedication in accordance with §5.8.5 of the North Augusta Development Code, the developer does hereby guarantee the maintenance of the infrastructure improvements under and pursuant to the following terms.

INFRASTRUCTURE IMPROVEMENTS SUBJECT TO THIS GUARANTEE

This Maintenance Guarantee shall extend to all infrastructure improvements proposed to be deeded to, dedicated to, transferred or otherwise assigned to the City of North Augusta by the developer. Such improvements shall include, where applicable, the following but not be limited to such specified improvements:

- A. Water Distribution System;
- B. Sanitary sewerage collection system;
- C. Easements and rights of way for potable water and sanitary sewage systems.

REPRESENTATIONS BY THE DEVELOPER

The Developer represents to the City of North Augusta that:

- A. For a period of twenty-four (24) months from the approval of the final plat, the improvements will not fail, for any reason, with the exception of force majeure;
- B. The Developer has submitted the Deed of Dedication and a monetary guarantee, in the form of an Irrevocable Letter of Credit in the amount of \$1,500.00, in support of this Maintenance Guarantee in accordance with §§5.8.4 and 5.8.5 of the North Augusta Development Code within the specified time period;
- C. The City Engineer for the City of North Augusta shall have full and absolute discretion and authority in determining whether or not a failure has occurred in regard to the infrastructure subject to this Maintenance Guarantee.

REMEDIES IN THE EVENT OF DEFAULT

In the event that the City Engineer for the City of North Augusta, in his sole discretion, determines that a failure has occurred, he shall provide written notice of such failure to the developer with a request for the immediate correction of said failure. In the event of failure by the developer to make such repairs as necessary within sixty (60) days of

such written notice or within ten (10) days, in the event of such notice being received during the last sixty (60) days covered by this Maintenance Guarantee and letter of credit, the following conditions shall prevail:

- A. This Maintenance Guarantee shall be considered violated and in default with the City having full right and authority to make claims on the guarantee amount provided for herein.
- B. The City may make claim against the full amount of the monetary guarantee, until such time as the City is able to make the necessary repairs to the infrastructure.
- C. Following the completion of the repairs to the infrastructure to the satisfaction of the City Engineer, any funds remaining from the monetary guarantee shall be refunded to the developer.
- D. The City is entitled to compensation, at a reasonable rate, for any in-house services provided by the City for the purpose of correcting failures or deficiencies to the infrastructure.
- E. The City shall have full and absolute authority in regard to a determination as to party or parties contracted with for the purpose of making repairs as required.

(Signature pages follow)

IN WITNESS WHEREOF, Lecompte Townhomes has caused these presents to be executed in its name by its duly authorized owner this 18 day of February, 2020.



WITNESS



WITNESS

BY: 

GLYNN BRAKER
ITS: OWNER

ACCEPTED THIS ____ DAY OF _____, 20__.

City of North Augusta

WITNESS

BY: _____
RACHELLE MOODY
ITS: INTERIM CITY ADMINISTRATOR

WITNESS

STATE OF SOUTH CAROLINA)
)
COUNTY OF AIKEN)

PERFORMANCE GUARANTEE
(Landscaping Improvements)

THIS AGREEMENT IS MADE AND ENTERED INTO this 25th day of February 2020, by and between Glynn Bruker hereinafter known as "Applicant", and the City of North Augusta, hereinafter known as "City". The designations Applicant and City as used herein shall include said parties, their heirs, successors and assigns.

WITNESSETH:

WHEREAS, Glynn Bruker received approval for Application PP18-003, a major subdivision preliminary plat to construct Lecompte Townhomes located on Lecompte Avenue, Tax Parcel Number 006-19-13-005; and

WHEREAS, the Applicant wishes to begin construction prior to completion of the landscaping and the City requires assurance that the unfinished site Improvements will be completed in a timely manner and in accordance with the approved subdivision plan; and

WHEREAS, pursuant to §5.8.6 of the North Augusta Development Code, the City requires that the Applicant execute a Performance Guarantee supported by a check in the amount of five thousand six hundred eighty-seven dollars and fifty cents (\$5,687.50), representing one hundred twenty-five percent (125%) of the estimated construction cost, to guarantee completion of the remaining site improvements.

IT IS HEREBY AGREED AS FOLLOWS:

1. A check in favor of the City in the amount of \$5,687.50 has been provided; and
2. The Applicant will complete the remaining site improvements not later than **twelve months** following the effective date of this agreement with City development standards and the approved specifications in the Applicant's major subdivision application approved October 31, 2019; and
3. The Director of Planning and Development or their designee shall regularly inspect the site improvement installation and exercise reasonable discretion to determine if the site improvement installation has been timely completed in conformity with City standards and approved major site plan modification specifications; and
4. The Director of Planning and Development, upon receipt of the Applicant's request to reduce the amount of the letter of credit based on satisfactory partial completion of

required improvements during the twelve month improvement installation period, shall have the discretion to approve and implement said request; and

5. If the Director of Planning and Development approves the final inspection of the finished site improvements either on a date earlier than the expiration of the Performance Guarantee or at the time of the expiration of the Performance Guarantee, the City shall acknowledge in writing that the Applicant has fully performed under the terms of the Performance Guarantee and release the letter of credit,
6. If for any reason the applicant fails to complete the project within **eleven (11) months** of the date of issuance of the check, the Director of Planning and Development shall provide a notice of deficiencies that must be completed by the end of the twelfth month. In the event that the project is not completed to the satisfaction of the Director of Planning and Development within the twelve (12) month time period, the following conditions shall prevail:
 - a. The Director of Planning and Development or their designee shall have full and absolute discretion and authority in determining whether or not a failure or default has occurred under the terms of this Guarantee;
 - b. In the event the Applicant fails to timely complete installation of the remaining site improvements in accordance with the approved major subdivision plan after receiving the notice provided for above, the City shall have the right to make claims on the funds provided by the Applicant to support the Performance Guarantee;
 - c. In the event of a failure or default, the City reserves the exclusive right to determine who may be retained to complete installation of the remaining site improvements; and
 - d. Any excess funds over and above those needed to complete installation of the remaining site improvements shall be refunded to the Applicant. The determination of such excess is to be under the sole discretion of the City.

IN WITNESS WHEREOF, the undersigned has executed this instrument the day and year above first written.

C. J. Cole
WITNESS
Shari Jill Creswell
Witness

Lecompte Townhomes

By: [Signature]
Glynn Bruker
As Its: Owner

State of Georgia
County of Columbia

On this 25th day of February 2020, before me personally appeared Glynn Bruker who provided satisfactory evidence of his identification to be the person whose name is subscribed to this instrument, and he acknowledged that he executed the foregoing instrument.

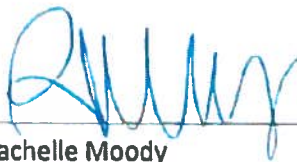
Shari Jill Creswell
Notary Public
Columbia County, State of Georgia
My commission expires: _____

(Signature pages continue)



Accepted this 10 day of March, 2020.

THE CITY OF NORTH AUGUSTA

By: 
Rachelle Moody
As Its: Interim City Administrator

State of South Carolina
County of Aiken

On this 10th day of March, 2020, before me personally appeared Rachelle Moody, North Augusta Interim City Administrator, who provided satisfactory evidence of their identification to be the person whose name is subscribed to this instrument, and acknowledged that they executed the foregoing instrument.



Notary Public

Aiken County, South Carolina

My commission expires: March 7, 2028

Sharon Lamar
Notary Public, State of South Carolina
My Commission Expires March 7, 2028

ATTACHMENT #7

RESOLUTION NO. 2020-15
A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE LOW BID OF
REEVES CONSTRUCTION CO. FOR THE
LYNNHURST DRAINAGE IMPROVEMENT PROJECT

WHEREAS, on March 5, 2020, an Advertisement for Bids for the Lynnhurst Drainage Improvement Project was published on the City's website and in South Carolina Business Opportunities (SCBO); and

WHEREAS, on April 2, 2020, four (4) sealed bids were received, publicly opened and read aloud; and

WHEREAS, the low bid by Reeves Construction Co. is in the amount of \$917,615.00; and

WHEREAS, the Mayor and City Council of the City of North Augusta find that the awarding of such bid is in the best interest of the City.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof that Reeves Construction Co. shall be awarded the contract for the Lynnhurst Drainage Improvements at a bid amount of \$917,615.00.

BE IT FURTHER RESOLVED that construction contingency funding shall also be provided in the amount of \$82,385.00.

BE IT FURTHER RESOLVED that the funding sources for this contract shall be as follows:

SC RIA Grant	\$ 300,000.00
Stormwater Utility Fund Previous Years Misc. Drainage Projects	\$ 500,000.00
Stormwater Utility Fund 2020 Budget Capital Projects	\$ 116,449.00
Stormwater Utility Fund Unrestricted Fund Balance	\$ 83,551.00
Total	<u>\$ 1,000,000.00</u>

BE IT FURTHER RESOLVED that the City Administrator is authorized to execute any documents required for the entering into of this contract.

RESOLUTION TO ACCEPT THE LOW BID OF REEVES CONSTRUCTION CO. FOR THE LYNNHURST
DRAINAGE IMPROVEMENTS

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DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY
OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF APRIL, 2020.

Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk

**City of North Augusta
Bid Tabulation Sheet**

Project: Lynnhurst Drainage Improvements
Department: Engineering & Public Works

Date/Time: April 2, 2020 at 11:00 AM
Project #: 2020 ENG-003

Bidder	General Conditions	Demolition	Grading	Roadway	Storm	Sanitary	Erosion Control	Total
Beam's Contracting	\$158,047.00	\$112,882.00	\$75,660.00	\$185,842.50	\$359,131.00	\$34,146.00	\$31,215.30	\$956,923.80
Barnett Southern	\$179,440.86	\$161,218.76	\$48,599.83	\$185,528.20	\$397,740.87	\$40,503.90	\$29,852.34	\$1,042,884.76
Reeves Construction	\$137,760.00	\$171,185.00	\$140,660.00	\$133,120.00	\$282,035.00	\$25,430.00	\$27,425.00	\$917,615.00
Wiley Easton	\$198,000.00	\$173,400.00	\$86,300.00	\$150,700.00	\$805,850.00	\$71,250.00	\$24,800.00	\$1,510,300.00

Beam's original bid for Erosion Control was a total of \$31,245.30, but the unit prices listed totaled \$31,215.30. Therefore their original total of \$956,953.80 is reduced to \$956,923.80.

Reeves bid included Item 2.10 Removal of unsuitable subgrade, which was a duplicate item with Item 3.02. The item 2.10 total of \$5,000 was removed from their bid to make their total \$917,615.00.

Wiley Easton bid \$25.00 per LF for item 4.03. At 40 LF, this total is \$1000. However, they listed a total price of \$2,500. Therefore, their bid total was reduced \$1,500 from \$1,511,800.00 to \$1,510,300.

