

**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Meeting Date: May 6, 2019
Presenter: Chairman Earl Pugh, Jr.
Attachment: No

ITEM TITLE: OPENING

SUMMARY: Call to Order
Opening Prayer
Pledge of Allegiance

**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Meeting Date: May 6, 2019
Presenter: Chairman Earl Pugh, Jr.
Attachment: Yes

ITEM TITLE: CONSIDERATION OF AGENDA

SUMMARY: Attached is the proposed Agenda for the May 6, 2019 Regular Meeting of the Hyde County Board of Commissioners.

RECOMMEND: Review, Amend and Approve.

MOTION MADE BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

MOTION SECONDED BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

VOTE: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

AGENDA

HYDE COUNTY BOARD OF COMMISSIONERS' REGULAR MEETING

MONDAY, MAY 6, 2019 – 6:00 PM

CALL TO ORDER

CONSIDERATION OF AGENDA

CONSIDERATION OF MINUTES

April 1, 2019

- Joint Board of Education Meeting Minutes
- Board of Equilization & Review Meeting Minutes (recessed & adjourned 04/15/2019)
- Regular Meeting Minutes

PRESENTATIONS

- 1) 2019 Governor's Volunteer Service Award Chairman Pugh
- 2) Plaque of Service for Kerry Campbell and Jerry Hardison Chairman Pugh
- 3) Tax Collections Report – April 2019 Linda Basnight

RECOGNITION OF EMPLOYEE/ VOLUNTEER/ FRIEND OF HYDE COUNTY

PUBLIC COMMENTS

Public Comments are a time for the public to make comments to the County Commissioners. Comments should be kept to three (3) minutes or less and comments should be directed to the entire Board and not to individual members, the staff or to other members of the public. Comments requesting assistance will typically be referred to the County Manager for follow-up or for Board action at a future meeting.

ITEMS OF CONSIDERATION

- 1) **Ordinances – Resolutions – Proclamations**
 - Proclamation – National Nurses Week Luana Gibbs
- 2) CDBG-NR Program Policies Chris Hilbert
- 3) Lawn Maintenance & Cleaning Contract Hyde Davis Center Kris Noble
- 4) Ocracoke Occupancy Tax Board Recommendations Corrinne Gibbs

- 5) Mainland Occupancy Tax Board Recommendations Corrinne Gibbs
- 6) Summer Flex Schedule Tammy Blake
- 7) Spending Freeze Corrinne Gibbs
- 8) FY2018-2019 Hyde County Budget Message Kris Noble
(Distribution of Proposed FY2019 - 2020 Budget)
- 9) Call for Public Hearing – FY2018-2019 Budget Kris Noble

BUDGET MATTERS

Administration - Finance

- Planning \$ 1,000.00

Sheriff's Department

- Salaries Law Officers \$15,000.00
- Auxillary Deputies \$ 2,000.00

Department of Social Services

- In-Home Chore – Title III \$ 4,874.00
- LIEAP – State Funds \$ 6,138.00
- Contract Consultant – Position \$ 7,000.00
- CAPS – Retirement Expense \$ 300.00
- CAPS – Salaries \$ 2,000.00

Hyde Soil & Water

- Public Education \$ 500.00

Health Department

- Family Planning – Additional Revenue \$ 8,085.00
- Maternal Health – postage & Medical Supplies \$ 530.00
- Adult Health – Postage \$ 100.00
- Child Health - Postage \$ 100.00
- Communicable Disease – Travel \$ 117.30
- Food & Lodging – Travel \$ 500.00

MANAGEMENT REPORTS

The Commissioners, County Manager and Assistant County Manager will share with the public their various activities and ideas for continuous improvement of government services to the citizens.

PUBLIC COMMENTS

The public is invited to use this time to make comments to the County Commissioners on items discussed during this meeting and/or matters not discussed earlier in the meeting.

CLOSED SESSION (discussion and possible action if required)

ADJOURN

SUPPLEMENTAL INFORMATION

Department Reports

- 1) Tax Department (requires signature)
- 2) Inspections
- 3) **Human Resources**
- 4) IT Department
- 5) **Health Department**
- 6) Department of Social Services
- 7) Senior Center
- 8) Soil & Water
- 9) Cooperative Extension
- 10) Airport

Informational Items

- 1) Press Release – First Cohort of High School Welders Earn Certificates at Mattamuskeet
- 2) Press Release – Hyde County Rolls Out New Property Tax System Software
- 3) Press Release – 2019-2024 Proposed National Outer Continental Shelf Oil and Gas Leasing Program
- 4) Press Release – Hyde County Rolls Out New Tax System Software
- 5) Press Release – Hyde County March Employee of The Month
- 6) Press Release – Hyde County Behavioral Health Honored by Hyde County Commissioners
- 7) Letter – 2019 Urgent Repair Program (URP19)
- 8) ARSWMA Board Members
- 9) Public Notice – HMGP 51-61 Application-Hyde County
- 10) Dare County – Resolution Opposing North Carolina House Bill 486 That Would Change The Definition of Commercial Fishing
- 11) Davidson County – Resolution Seeking Legislative Support for Local Governments Regarding Voting Machines
- 12) Davidson County – Resolution Seeking Legislative Support for House Bill 724
- 13) Moore County – Resolution Opposing The Usurping of Local Government Authority By The North Carolina General Assembly

**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Meeting Date: May 6, 2019
Presenter: Lois Stotesberry, Clerk
Attachment: Yes

ITEM TITLE: CONSIDERATION OF MINUTES

SUMMARY: Attached are the April 1, 2019 Regular Meeting Minutes of the Hyde County Board of Commissioners.

RECOMMEND: Review, Amend and Approve.

MOTION MADE BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

MOTION SECONDED BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

VOTE: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

1 Joint Meeting Minutes

2
3 **Hyde County Board of Commissioners**
4 **and**
5 **Hyde County Board of Education**

6
7 **Monday, April 1, 2019**

8 Chairman Randy Etheridge and Chairman Earl Pugh, Jr. called the Joint Board of Education and Board of
9 Commissioners meeting to order at 5:00p.m., on Monday, April 1, 2019, in the Hyde County Government Center
10 Multi-Use Room and the Ocracoke Community Center using electronic conferencing equipment.

11
12 **Board of Commissioners** – The following members were present on the mainland: Chairman Earl Pugh, Jr.; Vice-
13 Chairman Tom Pahl, Commissioners Ben Simmons, Shannon Swindell and James Topping; County Manager Kris
14 Cahoon Noble; Attorney Franz Holscher; Clerk to the Board Lois Stotesberry and members of the public. Teresa
15 Adams and members of the public were present on Ocracoke.

16
17 Emergency Services Director Justin Gibbs ran the electronic conferencing equipment on the Mainland and Teresa
18 Adams ran the electronic conferencing equipment on Ocracoke.

19
20 **Board of Education** – The following members were present on the mainland: Superintendent Stephen Basnight,
21 Chairman Randy Etheridge, Board members Aleta Cox, Lindsey Mooney, Thomas Whitaker, and Finance Officer
22 Kenneth Chilcoat. Ocracoke Board of Education member Angela Todd was absent.

23
24 **Discussion – Board of Education FY 2019-2020 Proposed Budget:**

25 Superintendent Basnight presented “Strategic Planning” for the Hyde County School System. Superintendent
26 Basnight’s bottom line in the proposed FY19-20 school budget is student instruction. Mr. Basnight discussed
27 staffing, capital outlay, school security, school resource officer, and the fund balance.

28
29 The proposed local current expense budget for Fiscal Year 2019 – 2020 equals \$1,908,205.

27% - Instructional Services	\$ 505,677
21% - Public Utilities	\$ 403,564
21% - Maintenance Services	\$ 401,679
11% - Insurance (flood & property)	\$ 196,073
20% - Other	\$ 383,235
100% - Budget Total	\$1,908,205

30
31
32
33
34
35
36 Fiscal Year 2018 - 2019 local budget was \$1,669,458.00. The proposed local budget for Fiscal Year 2019 – 2020
37 is \$1,908,205.00. The difference is \$238,747.00.

Purpose		FY 18-19		FY19-20
Code	Description	Allocation	Difference	Proposed
5110	Instructional Services (Loss of Small Schools Funding)	\$300,307.00	\$110,000.00	\$410,307/00
5110	(2 additional) Teacher Assistants		\$ 89,935.00	\$ 89,935.00
5110	Increase in Locally Funded Teachers		\$ 23,412.00	\$ 23,412.00
5810	Library/Media Services		\$ 2,500.00	\$ 2,500.00
6551	Bus Drivers (Supplement \$100.00/month)		\$ 9,900.00	\$ 9,900.00
6932	External Audit	\$ 21,000.00	\$ 3,000.00	\$ 24,000.00
Total Difference			\$238,747.00	

38
39 **Adjourn**

40 Chairman Pugh adjourned the meeting. The vote was unanimous. The meeting adjourned at 6:00p.m.

41
42 Respectfully submitted:

43
44 Minutes approved on the 6th day of May, 2019.

45
46 Attest:

47
48 _____
49 Lois Stotesberry, CMC, NCCCC
50 Clerk, Hyde County Board of Commissioners

47
48 _____
49 Earl Pugh, Jr.
50 Chair, Hyde County Board of Commissioners

51 **Attachments (none)**



2019 BOARD OF EQUALIZATION AND REVIEW MINUTES

4:00 PM CONVENE 2019 BOARD OF E & R Linda Basnight

Swear in members of 2019 Bd. E & R Linda Basnight

The following members were sworn in as members of the 2019 Board of Equalization and Review.

Earl Pugh, Jr.

Shannon Swindell

Benjamin Simmons, III

James Topping

Tom Pahl

Upon motion made by Benjamin Simmons, III, seconded by Shannon Swindell, with all Board members voting in favor, Be It Resolved that the Board unanimously agreed to appoint Earl Pugh, Jr., as Chairman of the Board of Equalization and Review.

The meeting was turned over to Chairman Earl Pugh, Jr.

Mr. Pugh ask if there was anyone on the Mainland or Ocracoke that wished to discuss their values with the Board.

There were no request to be heard.

With no further business being brought before the Board and upon motion made by Shannon Swindell, seconded by Tom Pahl with all Board members voting in favor, BE IT RESOLVED that the meeting be recessed at 5:00 PM to reconvene on April 15, 2019 at 5:00 PM.

The 2019 Board of Equalization and Review reconvened its April 1st. meeting at 5:00 PM April 15, 2019 with the following Board members present:

Earl Pugh, Jr., Chairman, Shannon Swindell and James Topping.

Linda Basnight, Tax Administrator/Clerk to the Board of Equalization and Review

There were no appeals presented during the April 15th. meeting.

With no further business being brought before the 2019 Board of Equalization and Review, and upon motion made by Shannon Swindell, seconded by James Topping, with all Board members voting in favor, BE IT RESOLVED THAT the 2019 Board of Equalization and Review be adjourned at 5:15 PM on April 15, 2019.

_____ **Chairman**

Earl D. Pugh, Jr.

_____ **Clerk**

Linda M. Basnight

1 Regular Meeting Minutes

2
3 **Hyde County Board of Commissioners**
4 **Monday, April 1, 2019**

5 Following the Board of Equalization and Review meeting, beginning at 4:00p.m., and the Joint Board of Education
6 and Board of Commissioners meeting, beginning at 5:00p.m., and after opening prayer by Commissioner Simmons
7 and Pledge of Allegiance, Chairman Pugh called the Regular Meeting of the Hyde County Board of Commissioners
8 to order at 6:15p.m. on Monday, April 1, 2019 in the Hyde County Government Center Multi-Use Room and the
9 Ocracoke Community Center using electronic conferencing equipment.

10
11 The following members were present on the mainland: Chairman Earl Pugh, Jr.; Vice-Chairman Tom Pahl,
12 Commissioners Ben Simmons, Shannon Swindell and James Topping; County Manager Kris Cahoon Noble;
13 Attorney Franz Holscher; Clerk to the Board Lois Stotesberry and members of the public. Teresa Adams and
14 members of the public were present on Ocracoke.

15
16 Emergency Services Director Justin Gibbs ran the electronic conferencing equipment on the Mainland and Teresa
17 Adams ran the electronic conferencing equipment on Ocracoke.

18
19 **Consideration of Agenda:**

20 Commissioner Pahl moved to approve the Monday, April 1, 2019 Meeting Agenda as presented by the Clerk with
21 the following changes made:

- 22 • Items of Consideration No. 2 – Appointments – EIC Board of Directors member removed.
- 23 • Items of Consideration No. 2 – Appointments – Ocracoke Development Ordinance (ODO) Ocracoke
24 Development Officer and Ocracoke Township Tourism Development Authority (OTTDA) positions added.
- 25 • Items of Consideration No. 11 – Mattamuskeet Association FEMA Project discussion added.

26 Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl,
27 Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

28
29 **Consideration of Minutes:**

30 **March 4, 2019 Regular Meeting Minutes**

31 Commissioner Pahl moved to approve the Monday, March 4, 2019 Regular Meeting Minutes as presented by the
32 Clerk with correction on Page 5 – Lines 1 – 20.

33 **Appointments:**

34 **Ocracoke Township Tourism Development Authority (OTTDA) Board**

35 Commissioner Pahl recommended re-appointment of Jake Johnson to serve another three-year term on the Ocracoke Township Tourism Development Authority
36 Board.

37 Commissioner Pahl moved to re-appoint Jake Johnson to a three-year term on *table appointment* to the Ocracoke Township Tourism Development Authority
38 Board. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays –
39 None; Absent or not voting – None.

40 **Ocracoke Waterways Commission (OWC)**

41 Commissioner Pahl recommended appointment of Scott Bradley to replace Erik O'Neal on the Ocracoke Waterways Commission.

42 Commissioner Pahl moved to appoint Scott Bradley to the Ocracoke Waterways Commission. Commissioner Swindell seconded the motion. The motion passed
43 on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

44 **Ocracoke Board of Adjustments**

45 Commissioner Pahl recommended that appointment of Jake Johnson to the Ocracoke Board of Adjustments be tabled until the April 1, 2019 Board of
46 Commissioners meeting.

*Regular Meeting Minutes – Hyde County Board of Commissioners
March 4, 2019 - Page 5 of 8*

47
48 Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl,
49 Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

50
51 **Resolution In Honor of Kerry Van Campbell**

52 Chairman Earl Pugh, Jr. read “Resolution In Honor of Kerry V. Campbell, April 1, 2019” in honor of the memory
53 of Kerry Campbell, who will forever be in the heart of his family and the management and staff of Hyde County.

54
55 Commissioner Simmons moved to adopt “Resolution In Honor of Kerry V. Campbell, April 1, 2019”.

56 Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl,
57 Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

58 *Clerk's Note: A copy of “Resolution In Honor of Kerry V. Campbell, April 1, 2019” is attached herewith as Exhibit A and*
59 *incorporated herein by reference.*

1 **Trillium Health Resources – Hyde County Annual Report**

2 Dave Peterson, MA, Regional Director, Trillium Health Resources, explained Trillium is a managed care
3 organization tied to Medicaid (85% to 86%), Medicare (13%) and Local Funds (1% to 1.5%). Trillium managed
4 \$355,201,859.00 spent on mental health services last year. Legislative changes in North Carolina will now
5 organize behavioral health services in a standard plan for mild to moderate needs and in a tailored plan for severe
6 mental health and substance use individuals. Standard plans will be run by insurance companies while tailored
7 plans will be managed by a local management entity (LME). Trillium is developing a whole person care model to
8 cover costs of the physical issues along with the behavioral health issues.
9

10 **National Park Service’s 2018 Overview**

11 Superintendent Dave Hallac, National Park Service, presented overview of visitation patterns and park activities at
12 Cape Hatteras National Seashore, Fort Raleigh National Historical Site and the Wright Brothers National Memorial
13 during 2018. Superintendent Hallac reported over 2.5 million people visited the Eastern North Carolina National
14 Seashore last year. In 2018 a total of 41,374 ORV permits were sold. Twenty-seven out of 29 miles (93%) of ORV
15 routes were open during the summer of 2018 – May through September.
16

17 **Senior Tar Heel Legislature**

18 Jan Moore, Hyde County NC Senior Tar Heel Legislature Delegate presented report on the Senior Tar Heel
19 Legislature 2019 FRIENDS Board meeting in Raleigh on March 12-13, 2019.
20

21 **FY2017-2018 Audit Presentation and Contract to Audit Accounts FY2018-201**

22 Auditor Steward Hill of Thompson, Price, Scott, Adams & Co., P.A. presented the FY2017-2018 Hyde County
23 audit. The audit includes narrative overview and analysis of the financial activities of Hyde County for the fiscal
24 year ending June 30, 2018.
25

26 **Financial Highlights**

- 27 • The assets and deferred outflows of resources of Hyde County exceeded its liabilities and deferred inflows
28 of resources at the close of the fiscal year by \$36,507,011. (net position)
- 29 • The government’s total net position decreased by \$1,323,525, due to decreases in net position in both the
30 government and the business-type activities.
- 31 • As of the close of the current fiscal year, Hyde County’s governmental funds reported combined ending
32 fund balances of \$8,578,334, a decrease of \$406,765 in comparison with the prior year. Approximately
33 45.99 percent of this total amount or \$4,944,768 (unassigned fund balance) is available for spending at the
34 government’s discretion.
- 35 • At the end of the current fiscal year, unassigned fund balance for the General Fund was \$4,261,009, or
36 32.24 percent of total general fund expenditures for the fiscal year.
37

38 **Government-Wide Financial Analysis** – net position may serve over time as one useful indicator of a
39 government’s financial condition. The County’s assets and deferred outflows of resources exceeded its liabilities
40 and deferred inflows of resources by \$36,507,011 as of June 30, 2018. The County’s net position decreased by
41 \$1,323,525 for the fiscal year ended June 30, 2018. One of the largest portions, 78.53%, reflects the County’s net
42 investment in capital assets (e.g. land, buildings, machinery and equipment). Hyde County uses these capital assets
43 to provide services to citizens; consequently, these assets are not available for future spending. Although Hyde
44 County’s investment in its capital assets is reported net of the outstanding related debt, the resources needed to
45 repay that debt must be provided by other sources, since the capital assets cannot be used to liquidate these
46 liabilities. An additional portion of Hyde County’s net position, \$3,945,910 represents resources that are subject to
47 external restrictions on how they may be used. The remaining balance of \$3,892,164 is unrestricted.
48

49 Several particular aspects of the County’s financial operations influenced the total unrestricted governmental net
50 position. The County’s property taxes collection percentage of 93.60% is lower than the state-wide average of
51 97.25% and is lower than the prior year rate of 95.73%.
52

53 **Governmental Activities** – decreased the County’s net position by \$835,082. Key elements of this decrease are
54 substantial increases of expenses in the Economic and Physical Development, Public Safety, Environmental
55 Protection and Education functions.
56

57 **Business-Type Activities** – decreased the County’s net position by \$488,443. Key elements of this decrease are
58 expenditures continue to exceed water revenues and for the current year the revenues decreases and expenditures
59 increased.
60
61
62

1 **General Fund** – is the chief operating fund of Hyde County. At the end of the current fiscal year, Hyde County’s
2 fund balance available in the General Fund was \$4,261,009 while total fund balance reached \$5,809,800. As a
3 measure of the general fund’s liquidity, it may be useful to compare both available fund balance and total fund
4 balance to total fund expenditures. Available fund balance represents 32.24 percent of total General Fund
5 expenditures, while total fund balance represents 43.96 percent of that same amount.

6
7 At June 30, 2018, the governmental funds of Hyde County reported a combined fund balance of \$8,578,334, a 4.53
8 percent decrease under last year. The primary reason for this decrease was expenses continuing to exceed revenues
9 in the governmental activities.

10 **General Fund Budgetary Highlights** – During the fiscal year, the County revised the budget on several occasions.
11 Generally, budget amendments fall into one of three categories: 1) amendments made to adjust the estimates that
12 are used to prepare the original budget ordinance once exact information is available; 2) amendments made to
13 recognize new funding amounts from external sources, such as Federal and State grants; and 3) increases in
14 appropriations that become necessary to maintain services. Total amendments to the General Fund were made to
15 increase revenues because the County did not expect to receive certain funds that later became available.
16 Expenditures were held in check to comply with the County’s budgetary requirements.

17
18 **Hyde County’s Total Debt** - decreased by \$835,887 (7.82%) during the past year, primarily due to principal
19 payments on existing general obligation bonds of \$147,940 and \$116,118, in the governmental activities and
20 business-type activities, respectively. Additionally, there were repayments on qualified school construction bonds
21 in the amount of \$200,180. New capital leases were issued for \$188,903, and capital lease payments were made in
22 the amount of \$53,807. Various other repayments were made to revenue bond debt.

23
24 The State of North Carolina limits the amount of general obligation debt that a unit of government can issue to
25 8 percent of the total assessed value of taxable property located within that government’s boundaries. The legal
26 debt margin for Hyde County is \$75,264,690.

27
28 **Economic Factors and Next Year’s Budgets and Rates** – The following key economic indicators reflect the
29 growth and prosperity of the County:

- 30
31
- 32 • Tourism is a major economic contributor to Hyde County especially on Ocracoke Island, which was named
33 America’s #1 beach in 2007.
 - 34 • Ecotourism, including hunting, fishing and other more massive wildlife activities, are major economic
35 factors for Hyde County.
 - 36 • Agriculture, governmental, hospitality (tourism) and seafood are the largest employers in Hyde County.

37 **Request for Information** – This report is designed to provide an overview of the County’s finances for those with
38 an interest in this area. Questions concerning any of the information found in this report or requests for additional
39 information should be directed to Corrinne Gibbs, Finance Officer, Hyde County, Swan Quarter, North Carolina.

40
41 **Employee(s) of The Month**

42 County Manager Kris Cahoon Noble announced Behavioral Health Program staff members have been named the
43 employees of the month of April. She commended Wendy West, Caroline Gurganus, Hannah Byrd, Melissa Sadler
44 and Anna Schafer for a job well done implementing the Behavioral Health Program.

45
46 **Public Comment**

47 Thomas Midgette, Engelhard – requested presentations be made using the overhead projector.

48
49 Manager Noble explained current technical difficulties with the equipment.

50
51 Finance Officer Corrinne Gibbs reported the Hyde County budget will be on the County website on Tuesday.

52
53 **Items of Consideration:**

54 **Resolution Creating Hyde County Progress Group**

55 Commissioner Topping re-introduced Resolution of the Hyde County Board of Commissioners to create a Hyde
56 County Progress Group.

57
58 Attorney Franz Holscher – encouraged individuals and/or elected officials to create or be involved with community
59 groups that work to better their communities, regardless of whether these groups are ad hoc or formally authorized.

60
61 After discussion, Commissioner Topping moved to accept the “Hyde County Progress Group” as a vital committee
62 and to support any favorable option for Hyde County. The motion died for lack of a second.

1 **Appointments:**

2 **Ocracoke Development Ordinance (ODO) – Officer**

3 Commissioner Pahl reported John Contestable has been Interim Building Inspector since the passing of Building
4 Inspector Jerry Hardison. Hyde County Commissioners appreciate the work he has done.

5
6 Commissioner Pahl moved to appoint John Contestable the ODO – Ocracoke Development Officer. Commissioner
7 Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell
8 and Topping; Nays – None; Absent or not voting – None.

9
10 **Ocracoke Township Tourism Development Authority**

11 Commissioner Pahl moved to appoint Lisa Landrum to serve on the Ocracoke Township Tourism Development
12 Authority (OTTDA) Board. Commissioner Swindell seconded the motion. The motion passed on the following
13 vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

14
15 **Fee Schedule FY 2019-2020**

16 Luana Gibbs, Health Director, reported the proposed Hyde County FY2019-2020 Fee Schedule was reviewed and
17 approved by the Hyde County Health Board on March 19, 2019. Ms. Gibbs requested the Board of Commissioners
18 give final approval of the Fee Schedule.

19
20 Commissioner Swindell moved to approve the Hyde County FY2019-2020 Fee Schedule as presented.

21 Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl,
22 Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

23
24 **Hyde County Swan Quarter Flood Control Design Study Contract With NC Department of Environmental**
25 **Quality Division of Coastal Management**

26 Allie Mulligan, District Resource Specialist, Hyde County Soil & Water Conservation District, reported an
27 application to the North Carolina Department of Environmental Quality Division of Coastal Management North
28 Carolina Local Planning and Management Grant Program was approved by the Hyde County Soil & Water
29 Conservation District and County of Hyde Water and Flood Control Coordinator to be administered by the Hyde
30 Soil & Water Conservation District. The purpose of the project is the completion of a flood control design study
31 for the town of Swan Quarter. The study will include engineered plans to address the installation of a stationary
32 pump in the town to removed storm-related rainfall that is retained in the community due to the town dike. The
33 County of Hyde was awarded the NC Local Planning and Management Grant in the amount of \$13,500 with a
34 \$1,500 cash match contingent upon the signing of the contract documents by all parties and a passed resolution by
35 the County of Hyde to execute the Swan Quarter Flood Control Study Planning and Management Grant Contract
36 adhering to all guidelines set forth in the grant contract. Additionally a project budget ordinance is required.

37
38 Commissioner Simmons moved to approve Resolution Authorizing Local Government Execution of Hyde County
39 Swan Quarter Flood Control Study Planning & Management Grant Contract. Commissioner Swindell seconded the
40 motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays –
41 None; Absent or not voting – None.

42 *Clerk's Note: A copy of "Resolution Authorizing Local Government Execution of Hyde County Swan Quarter Flood*
43 *Control Study Planning & Management Grant Contract" is attached herewith as Exhibit B and incorporated herein by*
44 *reference.*

45
46 Commissioner Pahl moved to approve Project Budget Ordinance outlining revenues and resources anticipated to be
47 available to complete program activities. Commissioner Swindell seconded the motion. The motion passed on the
48 following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

49 *Clerk's Note: A copy of "Hyde County – North Carolina Department of Environmental Quality Division of Coastal*
50 *Management North Carolina Local Planning and Management Grant Program 2018-2019 Award for North Carolina*
51 *Local Planning and Management Grant Program Project Budget Ordinance April 1, 2019" is attached herewith as*
52 *Exhibit C and incorporated herein by reference.*

53
54 **Appraisal Services for HMGP Irene Rescopement**

55 County Manager Kris Cahoon Noble reported Holland Consulting Planners has twice solicited bids for appraisal
56 services under the Hyde County HMGP Irene Rescopement project. Subject property is located at 4466 Loop
57 Road, Scranton, NC and is in the name of Dudley and Glenda Williams. This property was completely destroyed
58 by Hurricane Irene and has been uninhabitable ever since. The Williams' property was selected for acquisition
59 under the HMGP Recopement program. Correspondence was received from two service providers, Albemarle
60 Appraisals in Windsor, NC and Dozier Appraisal & Realty Company, in Greenville, NC. Of the two, only Dozier
61 Appraisal & Realty submitted a bid. Based on the level of experience that Dozier has in the appraisal of properties
62 damaged by disasters, Holland recommends Dozier Appraisal & Realty Company for appraisal services.

1 Commissioner Pahl moved to approve Dozier Appraisal & Realty Co. for appraisal services under the Hyde County
2 HMGP Irene Rescoping project. Commissioner Swindell seconded the motion. The motion passed on the
3 following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.
4

5 **Hyde County Mainland Waterfowl Committee**

6 County Manager Kris Cahoon Noble reported at the March meeting Public Hearing was conducted to gather input
7 from the public regarding the proposed legislation to provide for safe distances for hunting migratory wild
8 waterfowl in mainland portions of Hyde County. As a result of public input received, it was decided that the Hyde
9 County Board of Commissioners will create a Mainland Waterfowl Advisory Committee comprising of ten (10)
10 members who will offer assistance to the commissioners in crafting a blind law system that will protect private
11 landowner rights, honor the local guiding tradition and create economic demand for remaining hunting resources.
12 The advisory committee will bring a set of recommendations back to the Hyde County Board of Commissioners on
13 or before the regular November Board of Commissioners meeting.
14

15 Commissioner Simmons moved to approve formation of the Mainland Waterfowl Advisory Committee and
16 selection of the following ten (10) committee members:
17

<u>3 – Guides</u>	<u>3 – Hunters</u>	<u>3 – Local Landowners</u>	<u>1 – At-large Member</u>
Brett Mason	Thomas Newman, III	Ray Tooley	Chase Luker
Teddy Gibbs	Marco Gibbs	Gregory Berry	
Adam Jones	Michael Dean Sadler	Randy Hignite	

23 Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl,
24 Simmons and Swindell; Nays – Topping; Absent or not voting – None.
25

26 Commissioner Pugh moved to appoint Chase Luker to serve as Chairman of the Hyde County Mainland Waterfowl
27 Advisory Committee and elect officers as the advisory committee sees fit. Commissioner Swindell seconded the
28 motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons and Swindell; Nays – Topping;
29 Absent or not voting – None.
30

31 Commissioner Swindell moved to approve the draft Hyde County Waterfowl Advisory Committee Articles of
32 Formation as presented with correction of 11 members to 10 members. Commissioner Simmons seconded the
33 motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons and Swindell; Nays – Topping;
34 Absent or not voting – None.
35

36 **Lease Agreement for Ocracoke EMS Station**

37 County Manager Kris Cahoon Noble reported Ocracoke EMS staff is currently housed in a rental with a lease
38 ending May 31, 2019. After acceptance of the lease presented for consideration and approval, Ocracoke EMS will
39 be housed at the leased property for one year.
40

41 The new Hyde County EMS Station project on Irvin Garrish Highway (near the former Island Inn property) will be
42 complete prior to May 31, 2020.
43

44 Commissioner Pahl moved to accept the Ocracoke EMS Station Lease Agreement upon satisfactory amendment
45 and/or revision by County Manager Noble and County Attorney Franz Holscher. Commissioner Simmons
46 seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and
47 Topping; Nays – None; Absent or not voting – None.
48

49 **Interlocal Agreement for Existing Public Defender's Office**

50 County Manager Kris Cahoon Noble presented Amendment #1 To Interlocal Agreement Between The Counties of
51 Beaufort, Hyde, Martin, Tyrrell and Washington (originally executed December 3, 2012). In 2012, the above listed
52 counties executed and interlocal agreement to share, on a prorated basis, the cost of providing office space for the
53 Office of Indigent Defense Services after determining that financial and certain procedural matters were mutually
54 desirable and would provide greater efficiency and accountability in the legal representation services of indigents in
55 the Second Judicial District.
56

57 Commissioner Pahl moved to approve Amendment #1 to the Interlocal Agreement Between the Counties of
58 Beaufort, Hyde, Martin, Tyrrell and Washington, for Existing Public Defender's Office. Commissioner Swindell
59 seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and
60 Topping; Nays – None; Absent or not voting – None.
61

62 Commissioner Topping left the meeting at 9:00 p.m.

1
2 **Request to Potentially Amend Grant Contract – “Davis Ventures”**

3 County Manager Kris Cahoon Noble reported in January of 2016, Hyde County received Grant Agreement and
4 Funding Approval CDBG-DR No. 17-R-3014 for the project entitled, “Davis Ventures” to repair roof damage to a
5 community facility damaged during Hurricane Matthew. The grant amount is \$500,000 and the award date was
6 November 20, 2017.

7
8 Hyde County has been working with staff at the NC Office of Recovery and Resiliency to get access to those funds
9 and move towards a construction contract. Recently, during a conversation with NC Recovery staff the issue of
10 obtaining a building permit for the project was discussed. The building currently sits in the 100-year flood plain.
11 While it is scheduled to be removed from the flood plain when the new preliminary flood maps are adopted and
12 added to the FEMA registry. It does now sit in the flood plain...

13
14 According to Hyde County tax records the total building value is \$447,790. The estimated cost of repairs in the
15 project budget is \$474,790. When applying for a building permit, state building code dictates that if the total
16 project budget is greater than 50% of the value of the structure the structure must be brought up to state building
17 code. If a structure is below flood elevation it must be elevated above base flood.

18
19 Manager Noble presented a letter requesting the state consider amending the grant agreement and funding approval
20 to construct a new community facility instead of rehabilitating the existing structure. The new facility would serve
21 the community in the same way that it traditionally has but could be built in a resilient manner that is above base
22 flood elevation and built to modern wind codes. This could prevent any further NFIP or wind claims and give
23 Hyde County and North Carolina a more resilient stock of housing and community centers.

24
25 Commissioner Pahl moved to approve a letter to Director Michael Sprayberry, NCEM, NC Office of Recovery and
26 Resiliency requesting amendment to the original grant agreement to construct a new community facility instead of
27 rehabilitating the existing structure. Commissioner Simmons seconded the motion. The motion passed on the
28 following vote: Ayes – Pugh, Pahl, Simmons and Swindell; Nays – None; Absent or not voting – Topping.

29
30 **Grant Agreement – Hyde County Airport**

31 County Manager Kris Cahoon Noble reported Hyde County has been awarded \$59,391 from the NC DOT Division
32 of Aviation for the design and engineering of the runway extension of the Hyde County Airport. This is a 100%
33 state funded grant award with no local match.

34
35 Commissioner Simmons moved to approve the NC DOT Division of Aviation State Aid to Airports Grant
36 Agreement with Hyde County – Project No. 47169.1.1. Commissioner Swindell seconded the motion. The motion
37 passed on the following vote: Ayes – Pugh, Pahl, Simmons and Swindell; Nays – None; Absent or not voting –
38 Topping.

39
40 **Mattamuskeet Association – FEMA**

41 Commissioner Simmons reported Mattamuskeet Association was approved for a very large FEMA project.
42 The Association will have to pay for work done and then request reimbursement from FEMA. Mr. Simmons
43 recommended a Tideland EMC grant to complete this project. (Informational at this time)

44
45 **Budget Revisions:**

46 **Emergency Management**

47 Cover Expenses for the Remainder of the Fiscal Year \$82,475.00

48
49 **Sheriff’s Department**

50 Departmental Supplies \$ 2,500.00

51 Computer Maintenance \$ 250.00

52 Uniforms \$ 2,250.00

53
54 **Hyde Soil & Water**

55 Cell Phone – District Resource Specialist \$ 500.00

56
57 Commissioner Pahl moved to approve the S&W, Sheriff’s Department and Emergency Management budget
58 transfers as presented. Commissioner Swindell seconded the motion. The motion passed on the following vote:
59 Ayes – Pugh, Pahl, Simmons and Swindell; Nays – None; Absent or not voting – Topping.

1 **Management Reports**

2 Chairman Pugh – attended an Albemarle Commission meeting, Rural Day in Raleigh and the Senior Center St.
3 Patrick’s Day Breakfast.

4
5 Vice-chairman Pahl – presented update on projects ongoing on Ocracoke including signs and street repair projects,
6 public restrooms, solid waste facility improvements and the passenger ferry project. Mr. Pahl recommended a
7 moratorium on installation of wind energy farms in Hyde County.

8
9 Commissioner Swindell – attended a Health Board meeting and a Coastal Federation meeting where Lake
10 Restoration was discussed.

11
12 Commissioner Simmons – participated in the Meals on Wheels program, attended the PCA and MECHS game and
13 discussed the new Marine Fisheries drop net bill.

14
15 Commissioner Topping – absent.

16
17 County Manager Kris Cahoon Noble – presented update on projects and activities attended during the month.
18 Ms. Noble’s calendar was provided for the month of March, 2019.

19
20 **Public Comment**

21 Chairman Pugh plans to attend the dedication ceremony of the new Mark Basnight bridge in Dare County.

22
23 Connie Leinbach, asked about the Ocracoke EMS building decision.

24 **Closed Session (none)**

25
26 **Adjourn**

27 Commissioner Simmons moved to adjourn the meeting. Commissioner Swindell seconded the motion. The motion
28 passed on the following vote: Ayes – Pugh, Pahl, Simmons and Swindell; Nays – None; Absent or not voting –
29 Topping.

30
31 The meeting adjourned at 9:35p.m.

32
33 Respectfully submitted:

34
35 Minutes approved on the 6th day of May, 2019.

36
37 Attest:

38
39
40
41 _____
42 Lois Stotesberry, CMC, NCCCC
43 Clerk, Hyde County Board of Commissioners

41 _____
42 Earl Pugh, Jr.
43 Chair, Hyde County Board of Commissioners

44 **Attachments**

45 **Exhibit A: “Resolution In Honor of Kerry V. Campbell, April 1, 2019”**

46 **Exhibit B: “Resolution Authorizing Local Government Execution of Hyde County Swan Quarter Flood Control Study
47 Planning & Management Grant Contract”**

48 **Exhibit C: “Hyde County – North Carolina Department of Environmental Quality Division of Coastal Management
49 North Carolina Local Planning and Management Grant Program 2018-2019 Award for North Carolina Local
50 Planning and Management Grant Program Project Budget Ordinance April 1, 2019”**

**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Meeting Date: May 6, 2019
Presenter: Chairman Earl Pugh, Jr.
Attachment: Yes _____

ITEM TITLE: 2019 GOVERNOR'S VOLUNTEER SERVICE AWARD

SUMMARY: Jerald Craddock serves Hyde County in many ways. Some of these are the following: He manages the Food Bank delivering food to the people in need every month (regardless of rain or shine he is always there), he assist the sick/poor/disabled/anyone who needs spiritual assistance, he visits people in hospitals/nursing homes/their homes if they need him, he is active with the young people of the community to help them achieve their spiritual balance by talking and supporting their needs, and he helps families who are struggling to meet ends by donating money and words of encouragement regardless of their color, beliefs, and background.

Our county is very blessed to have Jerald Craddock serving our community. Thank you Jerald for your dedication and sacrifice.

(Please present certificate and pin to Jerald. Also, read certificate).

RECOMMEND: Congratulations

MOTION MADE BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

MOTION SECONDED BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

VOTE: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Meeting Date: May 6, 2019
Presenter: County Manager Kris Cahoon Noble
Attachment: No

ITEM TITLE: PRESENTATION OF PLAQUES IN MEMORY OF KERRY CAMPBELL AND JERRY HARDISON

SUMMARY: Manager Noble will present plaques in memory of Kerry V. Campbell and Jerry O. Hardison to the Hyde County Board of Commissioners and to the families of Mr. Campbell and Mr. Hardison. The County will publically display the plaques in a prominent location in the Hyde County Government Center.

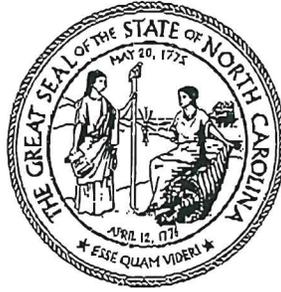
Kerry served as the county's Maintenance Director and had 40 years of service. Jerry served as the county's Building Inspector and had 12 years of service. Both gentlemen were invaluable employees and will be greatly missed.

RECOMMEND: NO ACTION REQUIRED

MOTION MADE BY: PUGH
 PAHL
 SIMMONS
 SWINDELL
 TOPPING

MOTION SECONDED BY: PUGH
 PAHL
 SIMMONS
 SWINDELL
 TOPPING

VOTE: PUGH
 PAHL
 SIMMONS
 SWINDELL
 TOPPING

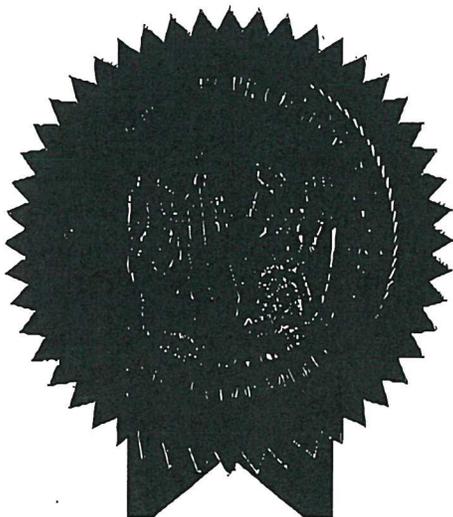


Governor's Award for Volunteer Service

This is to certify that

Jerald Craddock

is hereby awarded the highest designation of appreciation for distinguished volunteer service to the People and the State of North Carolina, and is to be granted and extended all honors and courtesies provided by this Office, entitled thereunto by this certificate of recognition and appreciation.



Roy Cooper
Governor

April 2, 2019
Date

Report Parameters:

Date Sent To Finance Begin: 4/1/2019

Date Sent To Finance End : 4/30/2019

Number of detailed years before grouping as prior: All

*Note : Discounts are considered as release of levy and are not part of Total(\$\$) column.

Tax District	Levy Type	RMV vs Non-RMV	Levy Less Penalties (\$)	Penalties (\$)	Interest (\$)	Other (\$)	Total (\$)
2019							
NA ADVANCE		Both RMV and Non-RMV	0.00	0.00	0.00	3,854.70	3,854.70
2018							
FAIRFIELD DRAIN DIST CLASS A FEE		Non-RMV	30,576.13	0.00	0.00	0.00	30,576.13
FAIRFIELD DRAIN DIST CLASS B FEE		Non-RMV	12,966.90	0.00	0.00	0.00	12,966.90
FAIRFIELD DRAIN DIST CLASS C FEE		Non-RMV	5,559.41	0.00	0.00	0.00	5,559.41
FAIRFIELD DRAIN DIST CLASS E FEE		Non-RMV	6,999.35	0.00	0.00	0.00	6,999.35
HYDE COUNTY TAX		Non-RMV	171,581.73	0.00	7,479.36	0.00	179,061.09
HYDE COUNTY WATERSHED FEE		Non-RMV	1,516.82	0.00	63.64	0.00	1,580.46
HYDE COUNTY WEST QUARTER FEE		Non-RMV	1,214.58	0.00	51.62	0.00	1,266.20
MOSQUITO TAX		Non-RMV	802.32	0.00	36.82	0.00	839.14
NA REFUND		Both RMV and Non-RMV	0.00	0.00	0.00	10.00	10.00
NA REFUND		Both RMV and Non-RMV	0.00	0.00	0.00	0.72	0.72
			231,217.24	0.00	7,631.44	10.72	238,859.40
2017							
HYDE COUNTY TAX		Non-RMV	4,816.01	0.00	660.14	0.00	5,476.15
MOSQUITO TAX		Non-RMV	33.48	0.00	4.43	0.00	37.91
			4,849.49	0.00	664.57	0.00	5,514.06
2016							
HYDE COUNTY TAX		Non-RMV	2,939.59	0.00	649.34	0.00	3,588.93
HYDE COUNTY WEST QUARTER FEE		Non-RMV	0.00	0.00	0.18	0.00	0.18
MOSQUITO TAX		Non-RMV	34.81	0.00	7.74	0.00	42.55
			2,974.40	0.00	657.26	0.00	3,631.66
2015							

HYDE COUNTY	Advertisement Fee	Non-RMV	6.00	0.00	0.00	0.00	0.00	6.00
HYDE COUNTY	TAX	Non-RMV	4,290.36	0.00	776.48	0.00	5,066.84	
MOSQUITO	TAX	Non-RMV	34.81	0.00	9.57	0.00	44.38	
2014			4,331.17	0.00	786.05	0.00	5,117.22	
HYDE COUNTY	TAX	Non-RMV	1,262.10	0.00	387.59	0.00	1,649.69	
2013			1,262.10	0.00	387.59	0.00	1,649.69	
HYDE COUNTY	TAX	Non-RMV	774.95	0.00	349.41	0.00	1,124.36	
2012			774.95	0.00	349.41	0.00	1,124.36	
HYDE COUNTY	TAX	Non-RMV	934.68	0.00	544.44	0.00	1,479.12	
2011			934.68	0.00	544.44	0.00	1,479.12	
HYDE COUNTY	TAX	Non-RMV	320.59	0.00	215.15	0.00	535.74	
2010			320.59	0.00	215.15	0.00	535.74	
HYDE COUNTY	Advertisement Fee	Non-RMV	2.00	0.00	0.00	0.00	2.00	
HYDE COUNTY	TAX	Non-RMV	284.75	0.00	340.94	0.00	625.69	
2009			286.75	0.00	340.94	0.00	627.69	
HYDE COUNTY	TAX	Non-RMV	89.24	0.00	33.50	0.00	122.74	
2008			89.24	0.00	33.50	0.00	122.74	
HYDE COUNTY	TAX	Non-RMV	0.00	0.00	3.67	0.00	3.67	
2006			0.00	0.00	3.67	0.00	3.67	
HYDE COUNTY	TAX	Non-RMV	148.66	0.00	1.34	0.00	150.00	
Total			247,189.27	0.00	11,615.36	3,865.42	262,670.05	

**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Meeting Date: May 6, 2019
Presenter: County Manager Kris Noble
Attachment: No

ITEM TITLE: EMPLOYEE/VOLUNTEER/FRIEND OF THE MONTH

SUMMARY: Manager Kris Noble will announce the Employee, Volunteer and/or Friend of the County for the month of May 2019.

RECOMMEND: Congratulations.

MOTION MADE BY: PUGH
 SIMMONS
 PAHL
 SWINDELL
 TOPPING

MOTION SECONDED BY: PUGH
 SIMMONS
 PAHL
 SWINDELL
 TOPPING

VOTE: PUGH
 SIMMONS
 PAHL
 SWINDELL
 TOPPING

**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Meeting Date: May 6, 2019
Presenter: Citizens
Attachment: No

ITEM TITLE: PUBLIC COMMENTS

SUMMARY: Citizens are afforded an opportunity at this time to comment on issues they feel may be of importance to the Commissioners and to their fellow citizens.

Comments should be kept to (3) minutes and directed to the entire Board, not just one individual Commissioner, staff member or to a member of the audience.

Time for one person cannot be used by another person.

Comments that reflect the need for additional assistance will be directed to the County Manager or referred to a future meeting agenda.

RECOMMEND: Receive comments.

**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Meeting Date: May 6, 2019
Presenter: Luana C Gibbs, Interim Health Director 
Attachment: Yes

ITEM TITLE: Proclamation for National Nurses Week

SUMMARY: This request is asking the Hyde County Board of Commissioners (BOC) to recognize the outstanding work that nurses across Hyde County do for our residents. Nursing is a vital discipline throughout the Nation, and as such, this request is for the BOC, in conjunction with the American Nurses Association, to declare May 6-12 annually as National Nurses Week.

RECOMMEND: Approval

MOTION MADE BY: ___ PUGH
___ PAHL
___ SIMMONS
___ SWINDELL
___ TOPPING

MOTION SECONDED BY: ___ PUGH
___ PAHL
___ SIMMONS
___ SWINDELL
___ TOPPING

VOTE: ___ PUGH
___ PAHL
___ SIMMONS
___ SWINDELL
___ TOPPING



Proclamation

National Nurses Week

Whereas, registered nurses in the United States constitute our nation's largest health care profession, and

Whereas, the depth and breadth of the registered nursing profession meet the different and emerging health care needs of the American population in a wide range of settings, and

Whereas, nurses are closest to patients, providing care from birth to the end of life, and practicing in settings that include hospitals, schools, home care, private practices and health department clinics, long term care facilities, hospice and many others.

Whereas, the American Nurses Association, as the voice for registered nurses in this country, is working to chart a new course for a healthy nation that relies on increasing delivery of primary and preventive health care, and

Whereas, a renewed emphasis on primary and preventive health care will require better utilization of all of our nation's registered nursing resources, and

Whereas, the demand for registered nursing services will be greater than ever because of the aging of the American population, the continuing expansion of life-sustaining technologies, and

Whereas, more qualified registered nurses will be needed in the future to meet the increasingly complex needs of health care consumers in this community, and

Whereas, the cost-effective, safe, and high-quality health care services provided by registered nurses will be an increasingly important component of the United States health care delivery system in the future, and

Whereas, along with the American Nurses Association, the County of Hyde has declared the week of May 6-12 as National Nurses Week, and thanks all nurses for enriching our lives and the world we live in, therefore be it

Resolved, that we, the Hyde County Board of Commissioners, ask that all residents of Hyde County join us in honoring the registered nurses who care for all of us, and be it further

Resolved, that the residents of Hyde County celebrate registered nurses' accomplishments and efforts to improve our health care system, and show our appreciation for the nation's registered nurses not just during this week, but at every opportunity throughout the year.

This the 6th day of May, 2019

ATTEST

Earl D. Pugh, Jr., Chairman
Hyde County Board of Commissioners

Lois Stotesberry, CMC, NCCCC
Hyde County Board of Commissioners

**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Meeting Date: May 6, 2019
Presenter: Chris Hilbert, Holland Consulting Planners, Inc.
Attachment: Yes

ITEM TITLE: RESOLUTION APPROVING ADMINISTRATIVE GUIDELINES AND POLICIES/CDBG REQUIRED DOCUMENTION

SUMMARY: Chris Hilbert of Holland Consulting Planners will present for approval and adoption the following administrative guidelines and policies related to the Hyde County CDBG-NR grant.

1. Resolution Approving Administrative Guidelines and Policies
2. Project Budget Ordinance
3. Financial Management Resolution
4. Housing Assistance Policy
5. Housing Construction Contract Award Policy
6. Residential Anti-Displacement & Relocation Assistance Plan
7. Local Economic Benefit for Low and Very Low Income Persons
8. Temporary Relocation Policy
9. Policy Concerning Code of Conduct for Officers, Employees or Agents
10. Excessive Force Policy
11. Procurement Standards
12. Equal Opportunity Plan
13. Providing Meaningful Communication with Persons with Limited English Proficiency
14. Citizen Participation Plan

RECOMMEND: APPROVAL AND ADOPT

MOTION MADE BY: ___ PUGH
___ PAHL
___ SIMMONS
___ SWINDELL
___ TOPPING

MOTION SECONDED BY: ___ PUGH
___ PAHL
___ SIMMONS
___ SWINDELL
___ TOPPING

VOTE: ___ PUGH
___ PAHL
___ SIMMONS
___ SWINDELL
___ TOPPING

HYDE COUNTY CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM
Resolution Approving Administrative Guidelines and Policies

WHEREAS, Hyde County wishes to carry out its Community Development Block Grant Neighborhood Revitalization (CDBG-NR) Program in accordance with established state and federal administrative guidelines.

NOW, THEREFORE, the Hyde County Board of Commissioners hereby collectively adopts the following resolutions, guidelines, plans and policies, and resolves that they be utilized during the administration of the Hyde County CDBG-NR Program:

1. Project Budget Ordinance
2. Financial Management Resolution
3. Housing Assistance Policy
4. Housing Construction Contract Award Policy
5. Citizen Participation Plan
6. Residential Antidisplacement and Relocation Assistance Plan
7. Local Jobs Initiative (Section 3) Plan
8. Temporary Relocation Policy
9. Code of Conduct
10. Fair Housing Policy
11. Excessive Force Policy
12. Procurement Standards
13. Equal Opportunity Plan
14. Language Assistance Plan (Providing Meaningful Communication with Persons with Limited English Proficiency)

Adopted this 6th day of May, 2019.

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, Clerk to the Board

HYDE COUNTY CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM
Project Budget Ordinance

Be it ordained by Hyde County, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1. The project authorized is the Community Development Block Grant Neighborhood Revitalization (CDBG-NR) Program described in the work statement contained in the grant agreement and funding approval (Grant #17-C-2989) between Hyde County and the North Carolina Department of Commerce, Rural Economic Development Division. This project is more familiarly known as the CDBG-NR Project.

Section 2. Hyde County staff is hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the Department of Commerce, and the budget contained herein.

Section 3. The following revenues and resources are anticipated to be available to complete the project activities:

Community Development Block Grant Neighborhood Revitalization (CDBG-NR) Project

Total Grant Award	<u>\$750,000</u>
-------------------	------------------

Section 4. The following amounts are appropriated for the project activities:

Community Development Block Grant Neighborhood Revitalization (CDBG-NR) Project

Project Budget	<u>\$750,000</u>
----------------	------------------

Section 5. The Grant Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the North Carolina Department of Commerce required by the grant agreement(s) and federal and state regulations.

Section 6. Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the North Carolina Department of Commerce in an orderly and timely manner.

Section 7. The Grant Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Grant Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this board.

Section 9. Copies of this grant project ordinance shall be made available to the Grant Finance Officer for direction in carrying out this project.

Adopted this 6th day of May, 2019.

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, Clerk to the Board

HYDE COUNTY CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM
Financial Management Resolution

WHEREAS, Hyde County has received Community Development Block Grant Neighborhood Revitalization (CDBG-NR) funding in the amount of \$750,000; and

WHEREAS, the North Carolina Administrative Code regulations require that the county designate a Grant Finance Officer and a depository for CDBG-NR funds;

NOW, THEREFORE, Hyde County hereby resolves the following:

- (1) Corrinne Gibbs, Hyde County Finance Director, will serve as Grant Finance Officer, and will be responsible for financial management of the program according to the requirements of the North Carolina Administrative Code and North Carolina General Statute requirements.
- (2) First National Bank, in Swan Quarter, NC, is hereby designated as the official depository for revenues budgeted for the CDBG-NR Program.

Adopted this 6th day of May, 2019.

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, Clerk to the Board

HYDE COUNTY CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM
Housing Assistance Policy

The following information is designed to serve as the basis for administrative policies, guidelines and procedures necessary to effectively establish a CDBG Neighborhood Revitalization (CDBG-NR) Program for Hyde County. As is the case with all new programs, certain alterations, amendments and additions to these guidelines may be required as the program is implemented. Review of these guidelines is encouraged to maintain consistent administrative quality. The administrative personnel, consultant, and the county staff members responsible for program administration should become completely familiar with the contents of the pages which follow.

I. SELECTING AND PROCESSING APPLICANTS

Before a successful housing improvement program involving the use of grants can begin operation, many administrative and policy decisions must be made. These decisions should be made with the benefit of input from the residents of Hyde County.

The applicant outreach and application rating process for the Hyde County CDBG-NR Program was developed by the County's consultant following discussions with county staff and the Board of Commissioners, and at the two required public hearings for the proposed project. The county wishes to provide rehabilitation/reconstruction assistance to low-income owners. A distribution plan including an objective, competitive rating system based on basic eligibility criteria (income threshold/ownership/taxes paid to date), housing need, and special population was developed.

The county has recommended provision of CDBG rehabilitation subsidies to "scattered site" beneficiaries based on income, ownership/tax liability, special population, and severity of housing needs criteria. Additionally, applicants must be the owner of record and must have paid local taxes to date. Selected units will be further examined for income verification, field assessments, and eligibility requirements once the project is funded to determine their final status for funding.

The following outlines the applicant screening/prequalification process that Hyde County utilized to select the households who will receive reconstruction/rehabilitation assistance under the CDBG Neighborhood Revitalization program:

§ Applications: Applications, including an information statement regarding eligibility requirements for the CDBG-NR program, were mailed to households on the county's existing housing assistance request list. Applications that were returned to the county's community development office were then reviewed for initial eligibility qualification (owner-occupied, low to moderate income, etc.). Households that met initial eligibility qualifications were then visited by the county's rehabilitation specialist to conduct the Income and Needs Survey, including the housing assessment to determine the condition of the house and obtain preliminary cost estimate.

§ Application Assistance/Field Assessment: If applicants requested assistance, they will have the option of visiting the county community development office, where the county's consultant staff will be available to provide assistance and answer questions. The program staff will review applications as they are received and request additional information if it is needed. The county will also perform field inspections of eligible units to document housing needs and to estimate rehab/replacement costs.

§ Income Verifications: The county will utilize HUD 2017/2018 LMI guidelines for assessment of household income. The county will require written documentation of public benefits, payroll information, or submittal of 2018 tax return information if available. The county will include adjusted (AGI) wage and benefit income for the head of household, spouse, and other non-transient (i.e., regular contributors to household expenses) household members 18 years of age and above. Business income for self-employed individuals will be verified through income tax records, and included net profits as well as wages paid to household members.

§ Definitions:

§ Elderly: An individual aged 62 or older.

§ Disabled: A disabled individual is any person who has a physical or mental disability that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment, in accordance with 24CFR92.2.

§ Household Member: Any individual who is an occupant of the unit to be rehabilitated shall be considered a "household member" (enumerated for household size and subject to income verification).

§ Occupant: An occupant is defined as any immediate family member (mother, father, spouse, son, daughter of the head of household, regardless of time of occupancy); or a non-immediate family member who has resided in the dwelling unit at least six months of the twelve-month period prior to the homeowner's application date.

§ The application rating system functioned as follows:

Preliminary Rating: As full applications are received, they will receive preliminary rating according to the following points table:

<u>Income Categories</u>	<u>Points</u>
Income >80% of median income	Not Eligible
Income 51-80% of median income	3
Income 31-50% of median income	5
Income <30% of median income	7
<u>Special Population Goals</u>	<u>Points</u>
Elderly (62 or above) Individual in Household	3
Disabled Individual in Household	5
<u>Eligibility Requirements</u>	
Homeowner Not Owner of Record in County Registry	Not Eligible
Local Taxes Not Paid To Date	Not Eligible

Final Rating: The county will use the NC Small Cities CDBG Gradient Housing Needs Form to evaluate the housing needs of the highest-rated applications received following preliminary review as outlined above. Units will be rated according to the points system identified below:

<u>Housing Needs Factors - Replacement Units</u>	<u>Points</u>
1. 0-3 Severe Systems	2
2. 4 Severe Systems	4
3. 5 Severe Systems	6
4. Severe Water Need	3
5. Severe Sewer Need	3

- § The county will also request an attorney to complete preliminary title opinions for primary beneficiaries to verify that applications for units to be repaired are filed by the owner of record. Once title opinions are received, recipients will be given up to 60 days to resolve title problems such as multiple heirs or liens that would prohibit a final award (recipients will be referred to legal services organizations that provide voluntary assistance to LMI households).
- If the county decides to withdraw a preliminary award following reassessment as noted above, the most competitive applicant from the alternate award list (within treatment and budget parameters) will be given consideration for a CDBG-NR grant.
 - When rehabilitation/reconstruction and/or acquisition/clearance/relocation assistance final awards have been made by the Hyde County Board of Commissioners, owners will be contacted and asked to come in to the county community development office to execute the Promissory Note, Deed of Trust, and other preconstruction documents.

III. DWELLING UNIT INSPECTIONS

Inspections of each dwelling unit eligible for rehabilitation grant assistance will be made by the county's CDBG consultant. The inspections will include a determination of substandard conditions, as summarized in a deficiencies checklist, as well as agency-required lead-based paint inspection and risk assessment for units to be rehabilitated. Owners of deteriorated units will also be given the opportunity to fill out a deficiencies checklist, and will receive a lead-based paint hazard information package. Inspections will identify repairs that should be made to place the unit in a standard condition according to North Carolina Small Cities CDBG Rehabilitation Standards.

IV. CONVENTIONAL REHABILITATION STANDARDS

- A. *General:* All units proposed for conventional rehabilitation assistance will be rehabilitated to the North Carolina Small Cities CDBG Housing Rehabilitation Standards and will conform to the most recent NC State Residential Building Code requirements and all applicable locally-enforced codes, ordinances, permitting, and inspection requirements. No completed units will retain any imminent threats to the health or safety of their occupants or to their structural integrity. Additionally, the county will utilize rigorous rehabilitation construction standards, to be clearly outlined in a Contractor's Handbook, to ensure that universal design standards (accessibility modifications, fire prevention, proper ventilation, vapor barrier installation, etc.) are maintained, and that all contractors are utilizing standard, code-approved materials for structural, finish, electrical, plumbing, and HVAC work. HUD Model Residential Property Rehabilitation Standards will be utilized to compute living area requirements and bathroom requirements for all households, regardless of size.
- B. *Lead Hazard Reduction:* All units constructed before 1978 will be subject to federal lead-based paint regulations. At the time of initial interview, the county's consultant housing inspector will follow procedures outlined in 24CFR35, HUD's "Requirements for Notification, Evaluation, and Reduction of Lead-Based Paint Hazards in Federally-Owned Residential Property and Housing Receiving Federal Assistance," and appropriate updated guidelines issued by the Rural Economic Development Division. All case work for these units will include risk assessment, lead testing, and interim controls/abatement as required by 24CFR35.

The county has budgeted temporary relocation funds to be utilized to house beneficiaries during lead hazard reduction or substantial rehab when necessary, as well as additional funds to handle displacement costs, furniture storage, etc. The county will adopt a temporary relocation policy consistent with federally-mandated relocation procedures outlined in 49CFR24 as a guide for providing temporary relocation assistance during this program. The county will use community resources and phase lead hazard abatement to minimize relocation costs.

OSHA (29CFR1926) and EPA-recommended worker safety, on-site containment, and clean-up procedures will be included in the work specifications, and will be thoroughly covered at

contractors' meetings prior to rehab. Off-site disposal will be closely coordinated with local and state solid waste management personnel, and a written disposal procedure will be developed and included in the rehabilitation specifications. Most importantly, the county will insist that its housing rehab consultant be certified as an inspector for lead hazards through a state-accredited certification course.

- C. *Rehab Design for Disabled Beneficiaries:* The county will utilize an accessibility deficiencies checklist during preparation of the work write-up to ensure that the North Carolina State Building Code Volume 1-C Accessibility Code requirements for new construction are met when handicapped individuals occupy units to be rehabilitated. Also, the county will contact the Independent Living Rehabilitation Program's regional office prior to rehabilitation of units occupied by disabled individuals, to obtain assistance with design of accessibility modifications and possible grant assistance.
- D. *Flood Hazard Areas:* All units located in the special flood hazard area will be rehabilitated to comply with locally enforced flood damage prevention statutes and FEMA flood insurance guidelines. Prior to inspection, the county will perform flood elevation surveys of any units located in the special flood hazard area. If finish floor elevations are determined to be below the 100-year flood elevation, the county will raise the floor elevation, if structurally and financially feasible. Regardless of the resolution of the floor elevation issue, flood insurance will be procured for all units located in the 100-year floodplain.

V. CONSTRUCTION QUALITY/MAINTENANCE

- A. *Construction Guidelines:* Hyde County's Contractor's Handbook is hereby incorporated into this Housing Assistance Policy by reference. The general provisions included in the Contractor's Handbook shall serve as the general guidelines for all rehabilitation and reconstruction work performed during the CDBG-NR Program. The Specifications included in the Contractor's Handbook shall serve as the standard quality of workmanship. The Contractor's Handbook stresses the application of universal design standards during rehabilitation and reconstruction. The handbook outlines standard installation procedures for ventilation systems, accessibility modifications, vapor barrier installation, weatherstripping, new bathroom installation, etc. Copies of the Contractor's Handbook will be made available at the county community development office for review by program applicants, grant recipients, and interested citizens.
- B. *Bidding and Construction Process:* The inspection consultant will prepare work write-ups and cost estimates, and coordinate the construction bidding, award, and inspection process for the owners. Work specifications, general contract provisions, and write-ups will be distributed at contractors' meetings which contractors will be required to attend in order to bid. The county maintains an active list of prequalified contractors, and also will publish notices of contractors' meetings/requests for bids in local newspapers.

The county will require the inspection consultant to make semi-weekly inspection visits to each unit under construction, to approve changes in the scope of work, to summarize for the program administrator on-site findings in written form, and to verify that finished construction meets program standards. In addition, the local code enforcement official will make regular inspection visits, and will provide the program administrator with a certificate of compliance/occupancy for each completed unit. Every unit will be guaranteed by a one-year warranty.

- C. *Homeowner Maintenance Measures:* During implementation of the project, the county will develop a post-construction checklist for review with all owners to make sure that owners are satisfied with construction and that they understand utility operation and costs. Additionally, all occupants of dwellings to be rehabilitated/replaced will be asked to attend a two-hour home maintenance course. This course will be taught by the program administrator. The course will focus on routine daily home care and maintenance. The county will prepare a home repair reference brochure for distribution to program beneficiaries; the brochure will include common repair problems and a list of local contractors and retail outlets specializing in home repair service and supplies.

- D. *Insurance:* In order to ensure that rehabilitated/reconstructed units are insured against fire damage following completion of the rehabilitation contract or replacement housing process, the county will utilize CDBG-NR funds to purchase fire insurance to cover the replacement value of the structure for one year following completion of the housing construction contract. Coverage will be provided either as a new policy from a local insurance provider when no coverage exists, or as a supplementary policy from the owner's current provider. Additionally, the county will emphasize the need for homeowners to continue fire insurance coverage beyond the one-year CDBG-NR-financed subsidy period. The county will secure/upgrade flood insurance policies (one-year) for all units located in the 100-year floodplain with program support funds as well.

VI. MAXIMUM REHABILITATION/REPLACEMENT GRANT LIMITATIONS

The county expects to provide CDBG-NR rehabilitation assistance to owner-occupied dwelling units, assuming average rehabilitation costs fall below the maximum limits allowed by the CDBG-NR application guidelines (\$40,000 or \$38.00 per square foot of heated, occupiable space). If bids exceed the maximum allowable limits, the rehabilitation units will be rebid. If bids still exceed the maximum allowable limits, then REDD approval to exceed the limits will be obtained prior to issuing contracts/beginning construction.

VII. REHABILITATION/RECONSTRUCTION GRANT ELIGIBILITY CRITERIA

- A. All rehabilitation/reconstruction housing subsidies will be provided to households with incomes between 0-80% of the Hyde County median income adjusted for appropriate household size.

- B. All rehabilitation/reconstruction housing beneficiaries must be owner-occupant households who reside in Hyde County.
- C. The owner(s) of any unit to be rehabilitated or reconstructed must be able to legally execute an Amortized Loan/Deferred Payment Loan Deed of Trust/Promissory Note following formal award of a Rehabilitation/Reconstruction Grant and prior to execution of a Contract for Housing Construction Work.
- D. The Amortized Loan/DPL Deed of Trust shall be for the full amount of the CDBG-NR grant assistance, except for special conditions involving multiple owners outlined below. The agreement shall be recorded immediately following execution of the note. Additionally, the deed of trust/promissory note shall be modified if the final contract cost exceeds the original contract cost.

VIII. REHABILITATION/RECONSTRUCTION GRANT AWARDS

Rehabilitation and reconstruction grant awards will be approved by the County Manager, if potential grantees meet the grant eligibility and limitation requirements outlined herein.

IX. REGULATIONS PERTAINING TO ACCESSORY BUILDINGS

Non-residential accessory buildings located on the same lot as a dwelling unit approved for a rehabilitation grant are ineligible for rehabilitation. Grant monies may be applied to the demolition of such substandard structures, but in no instance for their rehabilitation. An accessory building for the purpose of the CDBG-NR Program guidelines is defined as follows:

A detached subordinate structure operated and maintained under the same ownership and located on the same lot as the main building. No such building may be inhabited or used by other than the owners, lessee or tenant of the premises or their employees.

The demolition of substandard accessory buildings may be required by the county as a part of the rehabilitation grant. Grant monies, if the owner's application is approved, may be used to rehabilitate the dwelling unit and demolish all substandard accessory buildings at the same time.

X. TEMPORARY RELOCATION BENEFITS

The County Manager is authorized to approve temporary relocation payments to owner-occupants who are forced to vacate their dwellings during rehabilitation or prior to provision of a comparable replacement dwelling following demolition on a case-by-case basis, if such assistance is recommended by the Program Administrator. Such temporary relocation shall be accomplished at the minimum

feasible cost, and in accordance with the Hyde County CDBG-NR Program Temporary Relocation Policy. Temporary relocation payments will be limited to cover only those expenses that would not otherwise be normal to the relocatee. Approval of temporary relocation assistance for rent, motel charges, temporary storage, etc., will be made only upon submittal of cost-effective procurement documentation and invoice documentation by the Program Administrator.

Adopted this 6th day of May, 2019.

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, Clerk to the Board

HYDE COUNTY CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM
Housing Construction Contract Award Policy

During the performance of housing rehabilitation, demolition, and replacement housing activities included in the Hyde County CDBG Neighborhood Revitalization (CDBG-NR) Program, the county will utilize the following guidelines in the award of contracts to contractors who bid on the rehabilitation/reconstruction or demolition of specific dwelling units:

- 1) The County shall reserve the right to reject bids and rescind contract awards if one of the following conditions has not been met:
 - a. The contractor must have turned in all required forms, credit report, references, etc., with his bid;
 - b. The contractor must have references and a past working record acceptable to the Program Administrator prior to the Program Administrator's recommendation of award to the Hyde County Board of Commissioners;
 - c. The contractor must have demonstrated the ability to meet the performance criteria established in the Instructions to Bidders and the Contract for Housing Construction Work.
 - d. The contractor must have demonstrated the ability to meet standards of workmanship outlined in the Contractor's Handbook as witnessed by the Program Administrator.
- 2) Assessment of conditions 1(c) and 1(d) above shall be based on the Program Administrator's review of contractor references and work performed in other locations, if the contractor has not performed recent rehabilitation, demolition, or replacement housing work for Hyde County.
- 3) If construction estimates are prepared, no contract award shall be made if the contract price is less than 85% or more than 115% of the Program Administrator's final estimate. The Program Administrator will document negotiation of bids and/or estimates before contract awards are made.
- 4) In a case where an individual contractor is performing adequately, but he is the low bidder on more houses than he can complete within 120 days following the bid opening (based on past performance), Hyde County shall reserve the right to reject bids for those surplus houses, and award those houses to the next lowest bidders meeting the guidelines outlined herein, in the interest of efficient completion of rehabilitation, demolition, and replacement housing activities. The county also reserves the right to reject bids and award contracts to alternate bidders in the interest of maintaining an efficient work schedule consistent with performance standards mandated by the funding agency.

- 5) Hyde County reserves the right to rescind contract awards made prior to contract execution if circumstances beyond the control of the county, including directives by the funding agency or homeowner=s non-participation, prohibit the county=s participation in the contract as Owner=s Representative.
- 6) Any action, either restrictive or affirmative, taken under these guidelines, shall be in the interest of an efficiently-managed CDBG-NR program, and will be without self-interest on the part of any member of the Hyde County Board of Commissioners or county staff; and furthermore, shall be without regard to race, creed, sex, color, or national origin.
- 7) The County Manager is hereby authorized to approve and execute all housing rehabilitation, replacement housing, and/or demolition change orders less than 10% of current contract value.

Adopted this 6th day of May, 2019.

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, Clerk to the Board

HYDE COUNTY CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM

Citizen Participation Plan

Rural Economic Development Division
North Carolina Department of Commerce

Grantee: Hyde County

Recipient's

Address: Hyde County, 30 Oyster Creek Rd, (PO Box 188), Swan Quarter, NC 27885

Contact

Person: Kris Cahoon Noble, County Manager

Contact

Email: knoble@hydecountync.gov

Contact Phone

#: (252) 926-4180

TDD#: Relay North Carolina TT#1-800-735-2962

The primary goal of the Citizen Participation Plan is to provide citizens, especially low and moderate income citizens of the community where CDBG-funded activities will take place, an opportunity to participate in an advisory role in the planning, implementation, and assessment of the programs and projects.

The Citizen Participation Plan is required by Section 104(a) (2) of the Housing and Community Development Act and by regulations at 24 CFR 570.486(a)(6).

The plan is vitally important to the success of CDBG-funded activities undertaken by local governments. Compliance with the plan reduces the number of legal challenges and citizen complaints against the local government recipient.

1. INTRODUCTION

Hyde County has designed this community-wide Citizen Participation Plan to provide for and encourage citizen participation in the Community Development Block Grant (CDBG) program. This Plan is an essential element of the County's present and future community development process and has been developed to comply with the regulations and requirements of the CDBG program as administered by the North Carolina Department of Commerce – Rural Economic Development Division (REDD) and the Department of Housing and Urban Development (DHUD).

The primary goal of this Citizen Participation Plan is to provide all citizens of the community with adequate opportunity to participate in an advisory role in the planning, implementation, and assessment of the County's CDBG program(s). The Plan sets forth policies and procedures for citizen participation, which are designed to maximize the opportunity for citizen participation in the community development process. Special emphasis has been placed on encouraging participation by persons of low and moderate incomes, residents of blighted neighborhoods, and residents of areas where community development funds are utilized.

Citizens are encouraged to participate in all phases of the CDBG program(s) and will be provided full access to program information. However, final responsibility and authority for the development and implementation of CDBG program(s) will lie with the County.

2. SCOPE OF PARTICIPATION

The County will make reasonable efforts to provide for citizen participation during the community development process and throughout the planning, implementation and assessment of all CDBG program(s) undertaken by the County. Local officials will make every effort to involve citizens in all phases of the development, implementation and assessment of community development programs including, but not limited to, the following phases:

- a. identification and assessment of housing and community development needs; determination of CDBG project(s) and documentation; and the development of CDBG application(s);
- b. changes and/or amendments to approved CDBG projects; and
- c. assessment of CDBG program performance.

All phases of the community development process will be conducted by local officials in an open manner. Citizens of the county are encouraged to participate at all levels and will be given access to program information during each phase of any CDBG program as outlined herein.

3. CITIZEN PARTICIPATION CONTACT PERSON

Kris Cahoon Noble, County Manager, has been designated Citizen Participation Coordinator by the Hyde County Board of Commissioners and will serve as the contact person for all matters concerning citizen participation activities. This person shall be responsible for overseeing citizen participation throughout the community development process and the implementation of all citizen participation activities and functions, except those which may be specifically delegated to other parties by this Plan.

The specific duties and responsibilities of the Citizen Participation Coordinator shall include, but not necessarily be limited to: disseminating information concerning proposed projects and the status of current project activities; coordinating various groups which may be participating in the community development process; receiving written comments; serving as a vehicle by which ideas, comments, and proposals from local residents may be transmitted to local officials and/or program staff; and monitoring the citizen participation process and proposing such amendments to the Citizen Participation Plan as may be necessary.

The Citizen Participation Coordinator may be contacted at the Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC, at (252) 926-4180 during regular business hours. All questions concerning citizen participation in the community development process should be addressed to the Citizen Participation Coordinator.

4. TECHNICAL ASSISTANCE

Hyde County staff shall provide technical assistance to individual citizens and citizen groups, especially those groups representative of persons of low or moderate income, as may be required to adequately provide for citizen participation in the planning, implementation and assessment of CDBG program(s).

Such technical assistance is intended to increase citizen participation in the community development decision making process and to ensure that such participation is meaningful. Technical assistance shall also be utilized to foster public understanding of CDBG program requirements.

Technical assistance shall be provided on request and may include, but not necessarily be limited to: interpreting the CDBG program and its rules, regulations, procedures and/or requirements; providing information and/or materials concerning the CDBG program; and assisting low and moderate income citizens and residents of blighted neighborhoods to develop statements of views, identify their needs, and develop activities and proposals for projects which, when implemented, will resolve those needs.

Technical assistance may be obtained by contacting the Citizen Participation Coordinator.

5. PUBLIC HEARINGS

Citizen participation in the community development process will be conducted on a community-wide basis and will actively involve the views and proposals of all citizens, especially low and moderate income persons and residents of areas where CDBG activities are proposed or ongoing.

Public hearings will be held during all phases of the community development process, as outlined herein, to allow citizens to voice opinions and offer proposals concerning the development and performance of CDBG programs. Local officials will respond to questions and proposals from citizens at each public hearing. Any questions that citizens may have concerning a program will be answered and their comments, suggestions, and/or proposals will be received. Citizens may also express comments and views concerning the community development process or any specific CDBG project to the governing body at any regularly scheduled meeting.

5.1 Public Hearing Times and Locations

All public hearings will be held at times and locations which will be accessible to all citizens, especially persons of low and moderate incomes, and residents of blighted neighborhoods and CDBG project areas.

Public hearings will be scheduled for convenient times as determined by the County. Public hearings may be held at any site which, in the opinion of the County, provides adequate access for citizen participation.

Hearings will normally be held at the Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC. This site is centrally located and generally accessible to all citizens. This building is also accessible to persons with disabilities. Hearings may, however, at the option of the County, be held at an alternate location to be specified in the public hearing notice(s).

5.2 Application Public Hearings

One public hearing shall be held during any CDBG program fiscal year prior to the submission of an application to the REDD for CDBG assistance. The primary purposes of the public hearing shall be to assess community needs and problems in an effort to determine the most critical needs to be addressed by the CDBG program; and also to present for public comment and review the program activities which have been selected by the County to resolve the identified needs.

An application public hearing will be held during the initial stage of program development to discuss items regarding community development and housing needs, the CDBG program, and the application process. The objective of citizen participation at this stage is to provide meaningful, community-wide citizen input into the decision-making process during the assessment of community needs and the consideration of priorities and options associated with the development and submission of a CDBG application. Local officials will also entertain proposals and comments from citizens concerning community development activities at this hearing.

This hearing will normally serve to discuss and review the information appropriate for all applications submitted by the County during any fiscal year. Additional changes in community development or housing needs in the community as determined by local officials can be addressed by a community meeting where citizens can share their comments prior to the submission of other CDBG applications late in the fiscal year.

Citizens will be provided with information concerning the CDBG program at this public hearing. Such information shall include, but not necessarily be limited to: the goals and objectives of the CDBG program; the total amount of CDBG funds available for the fiscal year and for the funding round; the role of citizens in program planning, implementation, and assessment; the range of activities which may be undertaken; the process to be followed in developing a CDBG application; a statement that 100 percent of the CDBG funds will be used to benefit low-to-moderate income people; the schedule of meetings and hearings; location where the application can be reviewed; activities previously funded in the County through the CDBG program; an identification of projects which could result in the relocation of area residences or businesses and the actions that would be undertaken if such relocation were necessary; and provision of contact information such as address, telephone number, and dates for submitting complaints or grievances by citizens. Furthermore, the effectiveness of the Citizen Participation Plan in allowing citizen participation in the community development process and potential changes and/or amendments to the Plan shall also be discussed at this meeting.

The County may, at the option of local officials, review multiple CDBG project applications at one hearing when more than one application is to be submitted during the same fiscal year. Each such hearing shall be held prior to, and in preparation for, the application's approval by the County.

A second objective of citizen participation during this stage is to inform citizens of the proposed project activities to be included in a CDBG application(s) and to solicit comments from citizens concerning these activities.

Citizens attending this hearing will be provided with information concerning the CDBG project(s) proposed including, but not necessarily limited to: the project application(s) to be submitted and the applicable CDBG fund; specific project activities to be included; the location of the project activities; the approximate cost estimate for the proposed activities; the estimate of local match required; the impact of the project on low and moderate income persons; and the approximate application submittal date.

5.3 *Amendment Public Hearings*

The County will assure the opportunity for citizen participation during the implementation of any CDBG program(s) when changes to the project are under consideration by the County. Citizen participation shall be obtained and considered in any amendments to a CDBG program which involves changes in dollar amount spent on any activity, changes in program beneficiaries, changes in the location of approved activities, addition to or deletion of project activities, and major budget shifts between approved activities.

To ensure adequate opportunity for citizen participation during CDBG programs, the County shall hold a public hearing on all formal amendments which require the REDD approval. For “local” amendments and changes for which the REDD approval is not required, input from citizens concerning changes or amendments will be received at regularly scheduled County meetings where such changes or amendments are considered.

5.4 *Assessment of Performance Public Hearings*

Citizens of the County will be provided with the opportunity to comment on the performance of local officials, the County staff, consultants, engineers, and contractors, and the actual use of CDBG funds during the implementation of a CDBG program. Citizens will also be requested to assess the performance of the County in resolving identified community development and housing needs, and in achieving its community development goals and objectives. Ongoing community assessment of the effectiveness of the community development process is considered essential to the success of the CDBG program.

At the conclusion of each CDBG project, a public hearing will be held to review program activities and to assess program performance. This hearing shall be held prior to the submission of the Performance Assessment Report and any other required closeout documents to the REDD for a CDBG project. This hearing will be used to ensure community-wide participation in the evaluation of the CDBG program.

5.5 *Additional Hearings*

Other public hearings may be held as deemed necessary by the County in order to inform citizens of community development project(s) and activities, and to solicit citizen opinions and comments. All additional hearings shall comply with the requirements set forth in this Plan.

5.6 *Limited English Proficiency Residents*

The County has followed the guidance provided in the Language Access Plan to determine the need to undertake reasonable actions to facilitate the participation of persons with Limited English Proficiency. Local officials will undertake all reasonable actions necessary to allow such persons to participate in the community development process. Such actions may include the provision of an interpreter and/or the provision of materials in the appropriate language or format for persons with Limited English Proficiency.

5.7 *Public Hearing Notice*

Notice of public hearings must be published in a local newspaper of general circulation, in a non-legal section of the paper at least ten (10) days prior to the hearing date, but no more than 25 days prior to the meeting date. Each notice of a hearing shall include the time, date, place, and topics and procedures to be discussed.

5.8 *Accessibility to Low and Moderate Income Persons*

The public hearing procedures outlined herein are designed to promote participation by low and moderate income citizens, as well as residents of blighted neighborhoods and CDBG project areas in any public hearing(s). **Local officials may take additional steps to further promote participation by such groups, or to target program information to these persons should officials feel that such persons may otherwise be excluded or should additional action be deemed necessary. Activities to promote additional participation may include: posting of notices in blighted neighborhoods and in places frequented by low and moderate income persons, and holding public hearings in low and moderate income neighborhoods or areas of existing or proposed CDBG project activities.**

5.9 *Accessibility to Persons with Disabilities*

The locations of all public hearings as described herein shall be made accessible to persons with disabilities. The County shall provide a sign language interpreter whenever the Citizen Participation Coordinator is notified in advance that one or more deaf persons will be in attendance. The County shall provide a qualified reader whenever the Citizen Participation Coordinator is notified in advance that one or more visually impaired persons will be in attendance. Additionally, the County shall provide reasonable accommodations whenever the Citizen Participation Coordinator is notified in advance that one or more persons with mobility or developmental disabilities will be in attendance.

6. PROGRAM INFORMATION

Citizens will be provided full access to CDBG program information during all phases of a CDBG project. Local officials of the County shall make reasonable effort to assure that CDBG program information is available to all citizens, especially those of low and moderate incomes and those residing in blighted or Limited English Proficiency neighborhoods and/or CDBG project areas.

To facilitate citizen access to CDBG program information, the Citizen Participation Coordinator will keep all documents related to a CDBG program on file in the Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC. Information from the project files shall be made available for examination and duplication, on request, during regular business hours. CDBG program information and materials concerning specific CDBG projects will be available and distributed to the public at the regularly scheduled public hearings as outlined in this Plan. Furthermore, information concerning any CDBG project will be available at regularly scheduled Board meetings where the program is discussed.

Materials to be made available shall include, but are not necessarily limited to: the Citizen Participation Plan; records of public hearing; mailings and promotional materials; prior CDBG program applications; letters of approval; grant agreements; the environmental review record; financial and procurement records; project design and construction specifications; labor standards materials; performance and evaluation reports; other reports required by the REDD and/or the DHUD; proposed and approved CDBG program application(s) for the current year or project; written comments or complaints received concerning the community development program and written responses from the County; and copies of the applicable Federal and State rules, regulations, policies, requirements and procedures governing the CDBG program.

In no case shall the County disclose any information concerning the financial status of any program participant(s) which may be required to document program eligibility or benefit. Furthermore, the County shall not disclose any information which may, in the opinion of the Chairman of the Hyde County Board of Commissioners, be deemed of a confidential nature.

7. PROCEDURES FOR COMMENTS, OBJECTIONS AND COMPLAINTS

The public hearings scheduled, as described in this Citizen Participation Plan, are designed to facilitate public participation in all phases of the community development process. Citizens are encouraged to submit their views and proposals on all aspects of a community development program at the public hearings. However, to ensure that citizens are given the opportunity to assess and comment on all aspects of the community development program on a continuous basis, citizens may, at any time, submit written comments or complaints to the County.

Any citizen or citizens' group desiring to comment or object to any phase of the planning, development or approval of the application for CDBG funds, or to the implementation of any CDBG program, should submit such comments or objections in writing to the Chairman of the Hyde County Board of Commissioners. Should, after a reasonable period, a party believe that his/her comment or complaint has not been properly addressed or considered by the Chairman, then the aggrieved party may appeal his/her case to REDD.

Local officials shall make every effort to provide written responses to citizen proposals or complaints within fifteen (15) working days of the receipt of such comments or complaints where practicable. Should the County be unable to sufficiently resolve an objection or complaint, it may be forwarded by the aggrieved party to the REDD.

Citizens may, at any time, contact the REDD and/or the DHUD directly to register comments, objections or complaints concerning the County's CDBG application(s) and/or program(s). Citizens are encouraged, however, to attempt to resolve any complaints at the local level as outlined above prior to contacting the REDD or the DHUD.

All comments or complaints submitted to the REDD or the DHUD shall be addressed in writing to:

NC Department of Commerce
Rural Economic Development Division
4346 Mail Service Center

Raleigh, North Carolina 27699-4346

Or:

U.S. Department of Housing and Urban Development
Community Planning and Development Division
Greensboro Field Office
1500 Pinecroft Road
Greensboro, NC 27407

Records of all comments, objections and/or complaints by citizens concerning the County's CDBG program and subsequent action taken in response to those comments shall be maintained on file at the County and shall be made available for public inspection upon request.

8. AMENDMENTS

The County may, from time to time, modify the provisions outlined herein through amendment to this Citizen Participation Plan. It shall be the policy of the County to periodically review and discuss the effectiveness of this Citizen Participation Plan in allowing citizen participation in the community development process and in helping to meet the community development needs and goals identified by the citizens of the County. To this end, the effectiveness of the Plan will be discussed at public hearings held in conjunction with the community development program as discussed herein, and potential amendments to the Plan will be reviewed at this time.

Amendments to the Plan will be made as necessary. All amendments shall be approved by resolution of the County and shall be incorporated into this Plan.

9. AUTHORITY

No portion of this Citizen Participation Plan shall be construed to restrict the responsibility and authority of the elected officials of the County in the development, implementation, and execution of any Community Development Block Grant program.

Adopted this 6th day of May, 2019.

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, Clerk to the Board

HYDE COUNTY CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM
Residential Anti-Displacement and Relocation Assistance Plan

This Residential Antidisplacement and Relocation Assistance Plan is prepared by Hyde County, North Carolina, in accordance with the Housing and Community Development Act of 1974, as amended (the "Act"); and HUD regulations at 24 CFR 42.325.

A. Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Act, Hyde County will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- Coordinate code enforcement with rehabilitation and housing assistance programs.
- Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are "lower-income dwelling units" (as defined in 24 CFR 42.305).
- Target only those properties deemed essential to the need or success of the project.
- Attempt to locate comparable replacement housing in or near the neighborhood where demolition activities occur to further minimize neighborhood disruption caused by the clearance activities.
- Avoid demolition of occupied severely deteriorated residential structures where possible through substantial rehabilitation as opposed to clearance.
- Rehabilitate vacant, occupiable residential structures as affordable housing for displaced tenants to minimize neighborhood disruption caused by clearance activities.

B. Relocation Assistance to Displaced Persons

The county will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under this Program, move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

C. One-for-One Replacement of Lower-Income Dwelling Units

The county will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under this Program in accordance with 24 CFR 42.375.

Before entering into a contract committing Hyde County to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the county will make public by publishing notice in The Washington Daily News newspaper, and submit to the North Carolina Rural Economic Development Division (REDD) the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. *NOTE: See D, below.*
5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the county will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

D. Replacement not Required Based on Unit Availability

Under 24 CFR 42.375(d), the county may submit a request to the State (REDD) for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of

vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

E. Contacts

The County Manager's Office (252/926-4180) is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period. The County Manager's Office (252/926-4180) is responsible for ensuring that relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use are provided.

Adopted this 6th day of May, 2019.

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, Clerk to the Board

HYDE COUNTY CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM
Local Jobs Initiative (Section 3) Plan
Local Economic Benefit for Low- and Very Low-Income Persons
May 6, 2019 – May 5, 2022

I. APPLICATION AND COVERAGE OF POLICY

Hyde County is committed to the policy that, to the greatest extent possible, opportunities for training and employment should be given to lower income residents of the community development project area and contracts for work in connection with federally assisted community development projects should be awarded to business concerns located or owned in substantial part by persons residing in the Section 3 covered area, as required by Section 3 of the Housing and Urban Development Act of 1968. The County has developed and hereby adopts the following Plan.

The County will comply with all applicable provisions of Section 3 of the Housing and Urban Development Act of 1968, as amended (24 CFR Part 135), all regulations issued pursuant thereto by the Secretary of Housing and Urban Development, and all applicable rules and orders of the Department issued thereunder.

This Section 3 covered project area for the purposes of this grant program shall include the County and portions of the immediately adjacent area.

The County will be responsible for implementation and administration of the Section 3 plan. In order to implement the County's policy of encouraging local residents and businesses to participate in undertaking community development activities, the County will follow this Section 3 plan which describes the steps to be taken to provide increased opportunities for local residents and businesses.

This Section 3 Plan shall apply to services needed in connection with the grant including, but not limited to, businesses in the fields of planning, consulting, design, building construction/renovation, maintenance and repair, etc.

When in need of a service, the County will identify suppliers, contractors or subcontractors located in the Section 3 area. Resources for this identification shall include the Minority Business Directory published through the State Department of Commerce, local directories, and Small Business Administration local offices. Word-of-mouth recommendation shall also be used as a source.

The County will include the Section 3 clause and this plan in all contracts executed under this Community Development Block Grant (CDBG) Program. Where necessary, listings from any agency noted above deemed shall be included as well as sources of subcontractors and suppliers. The Section 3 Plan shall be mentioned in the pre-bid meetings and preconstruction meetings.

The prime contractor selected for major public works facility or public construction work will be required to submit a Section 3 Plan which will outline his/her work needs in connection with the project. Should a need exist to hire any additional personnel, the Hyde County Employment Security Commission shall be notified and referred to the contractor.

Each contract for housing rehabilitation under the program, as applicable, for jobs having contracts in excess of \$100,000 shall be required to submit a Section 3 Plan. This Plan will be maintained on file in the grant office and shall be updated from time to time or as the grant staff may deem necessary.

Early in the project, prior to any contracting, major purchases or hiring, the County will develop a listing of jobs, supplies and contracts likely to be utilized during the project. The County will then advertise the pertinent information regarding the project including all Section 3 required information. The County will send the bid information to the Rural Economic Development Division (REDD) in order for REDD to distribute information through its list-serve notification.

II. AFFIRMATIVE ACTIONS FOR RESIDENT AND BUSINESS PARTICIPATION

The County will take the following steps to assure that low income residents and businesses within the community development project area and within the County are used whenever possible:

- List jobs through the NC Historically Underutilized Business (HUB) office;
- Refer potential employees and businesses to various state and local agencies for development and training assistance;
- Place qualified residents and businesses on solicitation lists;
- Assure that residents and businesses are solicited whenever they are potential sources of contracts, services, or supplies.

The County will place a display advertisement in the local newspaper containing the following information:

- i. A brief description of the project.
- ii. A listing of jobs, contracts and supplies likely to be utilized in carrying out the project.
- iii. An acknowledgement that under Section 3 of Housing and Community Development Act, local residents and businesses will be utilized for jobs, contract and supplies in carrying out the project to the greatest extent feasible.
- iv. A location where individuals interested in jobs or contracts can register for consideration.
- v. A statement that all jobs will be listed through and hiring will be done through the local office of the North Carolina Employment Security Commission; a statement that all contracts will be listed with the North Carolina Division of Purchase and Contracts; and a statement that potential employees and businesses may seek development and training assistance through various state and local agencies, or which the County will maintain a list for individuals and business concerns inquiring information.

Low income residents and businesses will be informed and educated regarding employment and procurement opportunities in the following ways:

- i. Advertisement in the local newspaper.
- ii. Posting of Section 3 Plan at the Hyde County Government Center.
- iii. County Board meetings when project activities and schedules are discussed.
- iv. Notification to other agencies that provide services to low-income people.

The County will, to the greatest extent feasible, utilize lower income area residents as trainees and employees:

1. Encourage rehabilitation contractors to hire local area residents;

2. Encourage public works contractors to hire local area residents.

The County will, to the greatest extent feasible, utilize businesses located in or owned in substantial part by persons residing in the area, and will:

1. Contract with local contractors to perform demolition activities, and housing rehabilitation activities.
2. Encourage public improvement contractors to hire local residents for site clearance work, hauling materials, and performing other site improvements.
3. Encourage all contractors to purchase supplies and materials from the local hardware and supply stores.

III. RECORDS AND REPORTS

The County will maintain such records and accounts and furnish such information and reports as are required under the Section 3 regulations, and permit authorized representatives of REDD and federal agencies access to books, records, and premises for purposes of investigation in connection with a grievance or to ascertain compliance with this Section 3 Plan.

The County shall report annually the Section 3 numbers using the form HUD 60002 to REDD at the end of the calendar year as part of the Annual Performance Report (APR).

IV. MONITORING COMPLIANCE

The County may require each applicable contractor to provide a copy of the Section 3 Plan and will monitor compliance during the performance of the contract. Copies of all advertisements, notices, and published information will be kept to document the implementation of the plan.

V. COMPLAINTS CONTACT

Please provide the main contact in case that any complaint is received from the general public on Section 3 compliance (including name, phone number, address, and email):

Kris C. Noble, Hyde County Manager
Hyde County Government Center
30 Oyster Creek Road
Swan Quarter, NC 27885
Telephone: 252-926-4180, Email: knoble@hydecountync.gov

Adopted this 6th day of May, 2019.

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, Clerk to the Board

HYDE COUNTY CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM
Temporary Relocation Policy

WHEREAS, Hyde County has been awarded a CDBG Neighborhood Revitalization (CDBG-NR) Program Grant; and,

WHEREAS, temporary relocation payments and assistance are approved activities under the CDBG-NR Program Funding Agreement for households who receive conventional rehabilitation, lead based paint abatement, and on-site housing replacement (reconstruction) assistance; and,

WHEREAS, Hyde County wishes to provide temporary relocation assistance and moving assistance to households temporarily displaced as a result of conventional rehabilitation, lead based paint abatement and on-site replacement (reconstruction) housing;

NOW, BE IT THEREFORE RESOLVED:

The Hyde County Board of Commissioners hereby adopts the following temporary relocation policy, to be used during implementation of the CDBG-NR Program:

A. INTENT OF POLICY

Under the CDBG-NR Program, the County plans to carry out certain activities that will improve the living environment of the affected participants. This policy information applies to any homeowner who is required to temporarily relocate as a result of carrying out conventional rehabilitation, lead based paint abatement, or on-site replacement (reconstruction) housing activities under the program.

It is the intent of this policy to enable a homeowner to receive limited assistance when renting a temporary housing unit. This assistance is offered to help address the financial burden that is often associated with temporary relocation. The low to moderate income homeowner families and individuals that this Policy is designed for will be offered this assistance only if they are required to temporarily relocate as a result of the project.

B. HOMEOWNER REPLACEMENT HOUSING

If any of the project activities require a homeowner to be temporarily relocated, the homeowner will receive a notice informing him/her of the date by which the unit must be vacated and approximate duration of the temporary relocation. Homeowners may be eligible to receive the moving benefits and temporary housing expenses offered in Section C. of the policy if the homeowner moves to a temporary unit that is decent, safe and sanitary, and suitable for the needs of the household. Therefore, even though a homeowner may seek his/her own replacement housing, an agreement to temporarily rent a dwelling should not be entered into until the unit has been inspected and approved by a member of County=s staff or designated building inspection official.

C. TEMPORARY REPLACEMENT HOUSING ASSISTANCE - HOMEOWNER

In general, the temporary replacement housing assistance for homeowners, subject to participation in the county=s rehabilitation/reconstruction program, is as follows:

Moving Benefits

1. Actual moving expenses and storage costs paid to a bonded and licensed moving company for the move to the temporary housing unit. Hyde County will provide the mover.
2. Actual moving expenses costs paid to a bonded and licensed moving company for the return move to the homeowner's housing unit. Hyde County will provide the mover.
3. A homeowner shall be reimbursed for the disconnection and connection costs for the homeowner's utilities, telephone, and cable (if required) for the move to the temporary unit and for the return move to the homeowner's housing unit.

Temporary Housing Expenses

A homeowner may be reimbursed for actual reasonable documented rent and utilities (electric, water/sewer, and gas) incurred at the temporary replacement dwelling.

In order for a homeowner to receive reimbursement of the Temporary Housing Expenses, the temporary replacement dwelling must be inspected and approved by a member of the county=s staff (or building inspection official if designated) as decent, safe and sanitary, and adequate to meet the homeowner's occupancy needs. A premature move may result in loss of eligibility for a temporary housing expense payment.

D. DECENT, SAFE AND SANITARY HOUSING

Housing is to be considered decent, safe and sanitary housing if it is sound, clean, weathertight, and in standard condition. The unit must have hot and cold running water, a private inside toilet, bathing facilities, and be in compliance with the local housing codes. The unit must also be in compliance with the local occupancy codes to avoid overcrowding.

E. FAIR HOUSING LAWS

If a family or individual is unable to temporarily rent a replacement dwelling because of discriminating practices related to race, color, creed, disability, familial status, or national origin, the form HUD 903, Housing Discrimination Complaint, will be made available to each family or individual so aggrieved.

Hyde County will take positive action to assist each family and individual in completing the form and filing the complaint. The County staff will help assure a family or individual the full opportunity to relocate to a temporary dwelling provided for them or to a unit of their choice that meets the required inspection standards.

Adopted this 6th day of May, 2019.

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, Clerk to the Board

HYDE COUNTY CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM
Policy Concerning Code of Conduct for Officers, Employees or Agents

BE IT RESOLVED BY THE HYDE COUNTY BOARD OF COMMISSIONERS:

Section 1: No employee, officer or agent of Hyde County shall knowingly solicit or accept any form of gratuity from any person, firm or organization whereby such gratuity shall in any way persuade or affect the outcome of the award of any contract of which any part is supported by federal funds.

Section 2: No employee, officer or agent of Hyde County shall participate in the selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when the employee, officer or agent, member of his/her immediate family, his/her partner, or an organization which employs, or is about to employ, any of the above individuals, has a financial or other interest in the firm selected for award.

Section 3: No employee, officer or agent of Hyde County shall solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subagreements.

Section 4: If any employee, officer or agent shall knowingly violate any of the provisions of this policy, such employee, officer or agent will be subject to such disciplinary measures as may be deemed appropriate by the Hyde County Board of Commissioners or County Manager including, but not limited to, suspension without pay, demotion, or dismissal.

Section 5: If any contractor or his agent violates any provision of this policy, such violation will constitute grounds for action deemed appropriate by the County Manager including, but not limited to, withdrawal from consideration of any proposal or bid submitted by such contractor, withdrawal of award, or rescission of contract.

This policy shall become effective from and after its adoption by the Hyde County Board of Commissioners in an open meeting.

If any part of this policy shall be found to be in conflict with any federal or State of North Carolina law, then that portion of the policy can be amended to comply with the federal or state law without affecting the validity of the other portions.

Adopted this 6th day of May, 2019.

ATTEST:

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

Lois Stotesberry, Clerk to the Board

HYDE COUNTY CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM
Fair Housing Policy

WHEREAS, Hyde County desires that the citizens of the county be afforded the opportunity to attain the national objective of a decent, safe and sound living environment; and

WHEREAS, Hyde County deplores discrimination in the provision of housing on the basis of race, religion, color, creed, sex, national origin, young children in a family, or handicapping conditions; and

WHEREAS, Hyde County desires that every citizen be afforded the opportunity to select a home of his or her choice; and

WHEREAS, Hyde County wishes to ensure that programs and activities undertaken by the county relating to housing and urban development be administered in a manner to affirmatively further fair housing as required by Title VIII of the Civil Rights Act of 1968, as amended; 24 CFR 107, Nondiscrimination and Equal Opportunity in Housing under Executive Order 11063; and the North Carolina State Fair Housing Act, NCGS, Chapter 41A;

NOW, THEREFORE, to accomplish the above, the county does adopt the following procedures for receiving and resolving housing discrimination complaints:

1. Any person or persons wishing to file a complaint of housing discrimination in Hyde County may do so by informing the County Manager at (252) 926-4180, or NC Human Relations Commission (919) 733-7996, TDD# (919) 733-7996 (or Relay North Carolina TT# 1-800-735-2962) of the facts and circumstances of the alleged discriminatory act or practice;
2. Upon receiving a housing discrimination complaint, the County Manager shall inform the North Carolina Human Relations Commission about the complaint within ten (10) calendar days. The county shall then assist the Commission and the complainant in filing an official written housing discrimination complaint with the Commission, pursuant to the State Fair Housing Act and Title VIII.
3. Hyde County shall offer assistance to the Commission in the investigation and conciliation of all housing discrimination complaints which are based upon events occurring in the county.
4. The County Manager shall publicize within the county that she is the local official to contact with housing discrimination complaints.

Adopted this 6th day of May, 2019.

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, Clerk to the Board

HYDE COUNTY CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM

Excessive Force Policy

May 6, 2019 – May 5, 2022

Hyde County hereby adopts an Excessive Force Policy that is in accordance with the applicable State of North Carolina and Federal Regulations, i.e., Section 519 of Public Law 101-144, (1990 HUD Appropriations Act) requiring units of government receiving CDBG funds to adopt and enforce *Excessive Force Provision*. The County, as the recipient of Federal and/or State CDBG-NR Grant Funds, acknowledges its responsibility to and will adhere to the aforesaid NC State and Federal Excessive Force Regulations.

The use of excessive force is any degree of physical action beyond mere restraint. The use of physical force shall be restricted to the amount of force which is reasonable and apparently necessary to effect a lawful arrest or in defense of self or others.

Striking or any form of restraint in which injury occurs shall be considered use of force. Additionally, the pointing of any firearm directly at any person shall be deemed use of force.

Mere restraint is defined as physically overpowering without striking or using weapons. Scuffling, holding, tackling, etc., may or may not be mere restraint, depending upon the circumstances. Whenever doubt exists as to whether the level of restraint used constitutes use of force, the immediate supervisor will be notified of the incident and will make a determination.

More particularly, the County adopts and will enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any and all individuals engaged in non-violent civil rights demonstrations, and is adopting and will enforce a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within Hyde County.

Adopted this 6th day of May, 2019.

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, Clerk to the Board

HYDE COUNTY CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM
Procurement Standards

Policy

Hyde County will comply with the terms and conditions of Federal and/or State funding that is awarded and accepted, including but not limited to, the terms and conditions of Grant Contract, Title 2 CFR Part 200, and HUD implementing regulations contained in 24 CFR Section 570.489(g) which are incorporated by reference and included herein to the extent of its applicability. The County, as the recipient of Federal and/or State CDBG-NR funds, acknowledges its responsibility to and will adhere to the aforesaid North Carolina State and Federal Procurement Policies.

Hyde County will, to the extent applicable, follow methods of procurement, procure by contracting with small, minority firms, women's business enterprises, and labor surplus area firms. Additionally, the County will demonstrate contract cost and price awareness, and adhere to awarding agency review provisions (Title 2 CFR Appendix II to Part 200 – Contract Provisions for Non-Federal Entity Contracts under Federal Awards).

Plan

All procurement of goods and services by the County with CDBG-NR grant funds shall be accomplished in accordance with the regulations of **Procurement Standards**. Where applicable, Recipient shall follow the procurement standards established in the "Uniform Administrative Requirements, Cost Principles, And Audit Requirements For Federal Awards" (2 CFR Part 200) and HUD implementing regulations contained in 24 CFR Section 570.489(g), which explicitly prohibit cost plus a percentage of cost and percentage of construction cost methods of contracting. In addition, all purchase orders and contracts shall include any clauses required by Federal Statutes, Executive Orders, and implementing regulations including the Section 3 clause, per 24 CFR 570.489 (g) and 24 CFR 135.38, or the North Carolina General Statutes applying to procurement in general by the North Carolina municipalities and counties.

When the Federal and State regulations are different, the more restrictive regulations shall apply to the procurement in question. Additionally, the County will adhere to the following guidelines during procurement of goods and services with Federal funds:

- In all cases where goods or services are procured on the basis of one bid or proposal received, the County will follow established principles included in OMB Circular A 87 to verify the reasonable cost of the procurement, and shall contact the State agency supervising the grant program before making any contract award on the basis of non-competitive negotiation.
- Underutilized businesses, including women-owned, and minority-owned enterprises shall be included on bidders' or professional services' lists maintained by the County, and such firm(s) shall be solicited for all competitive negotiations, small purchases, and informal and formal bids when such firms are potential competitive sources for goods and services.

- The County shall develop a written scope of work for each service to be awarded on the basis of *competitive negotiation*, which shall include descriptions of tasks to be completed, project timetables, and outline of fee proposal requirements. The statement of work shall also include a written selection procedure. All *competitive negotiations* shall be awarded strictly on the basis of written selection procedures, and cost shall not be the sole nor more important factor in selection of services through the use of *competitive negotiations*.
- Prior to any contract award, the County shall verify the contractor's eligibility to participate in a federally-assisted program.
- No consultant or bidder shall assist in the evaluation of proposals or bid packages for contracts in which that consultant or bidder has an indirect or direct interest. The County shall adhere to all applicable Federal and State conflict of interest regulations in making contract awards.
- The County shall request references, or check references, of contractors or firms who are awarded contracts with Federal grant funds, and will request a written warranty for all goods and services provided through small purchase requests.
- The County shall not award any contract for federally-assisted projects on a contingency or cost plus percentage of cost basis.

Adopted this 6th day of May, 2019.

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, Clerk to the Board

HYDE COUNTY CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM
Equal Opportunity Plan

A. Equal Housing Opportunity Plan

Civil Rights Act of 1964

The Civil Rights Act of 1964 prohibits all racial discrimination in the sale or rental of property.

The Fair Housing Act

The Fair Housing Act declares a national policy of fair housing throughout the United States, making illegal any discrimination in the sale, lease or rental of housing, or making housing otherwise unavailable, because of race, color, religion, sex, handicap, familial status, or national origin.

Executive Order 12892, Equal Opportunity in Housing

Executive Order 12892, as amended (Leadership and Coordination of Fair Housing in Federal Programs: Affirmatively Furthering Fair Housing), provides that programs and activities relating to housing and urban development (including any Federal agency having regulatory or supervisory authority over financial institutions) shall be administered in a manner to further affirmatively the purposes of the Act and shall cooperate with the Secretary of Housing and Urban Development, who shall be responsible for exercising leadership in furthering the design and delivery of Federal programs and activities.

Hyde County shall eliminate housing discrimination, and achieve diverse, inclusive communities by leading the County in the enforcement, administration, and public understanding of federal fair housing policies and laws.

The County shall include the Equal Housing Opportunity logo and/or the phrase affirming Equal Opportunity in Housing on all the CDBG-NR documents intended to be shared with the public.

The County shall post in public buildings and the CDBG-NR project area the Equal Housing Opportunity posters and/or additional information the local government has prepared to inform the community with the Equal Housing Opportunity policies and laws.

B. Equal Employment Opportunity Plan

Hyde County maintains the policy of providing equal employment opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are *bona fide* occupation qualifications for employment.

In furtherance of this policy, the County prohibits any retaliatory action of any kind taken by any employee of the locality against any other employee or applicant for employment because that person made a charge, testified, assisted or participated in any manner in a hearing, proceeding or investigation of employment discrimination.

The County shall strive for greater utilization of all persons by identifying previously underutilized groups in the workforce, such as minorities, women, and the handicapped, and making special efforts toward their recruitment, selection, development and upward mobility and any other term, condition, or privilege of employment.

Responsibility for implementing equal opportunities and affirmative action measures is hereby assigned to the County Manager to assist in the implementation of this policy statement.

The County is committed to this policy and is aware that with its implementation, the County will receive positive benefits through the greater utilization and development of all its human resources.

The County shall include the Equal Employment Opportunity logo and/or the phrase affirming Equal Employment Opportunity on all the CDBG-NR documents intended to be shared with the staff and the public.

The County shall obtain commitment from contractors that they will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are *bona fide* occupation qualifications for employment. Contractors will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are *bona fide* occupation qualifications for employment. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

The County shall obtain commitment from Contractors that will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are *bona fide* occupation qualifications for employment.

Adopted this 6th day of May, 2019.

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, Clerk to the Board

Providing Meaningful Communication with Persons with Limited English Proficiency

County of Hyde, North Carolina
Effective May 6, 2019 to May 5, 2022

The purpose of this Policy and Plan is to ensure compliance with Title VI of the Civil Rights Act of 1964, and other applicable federal and state laws and their implementing regulations with respect to persons with limited English proficiency (LEP). Title VI of the Civil Rights Act of 1964 prohibits discrimination based on the ground of race, color or national origin by any entity receiving federal financial assistance. Administrative methods or procedures, which have the effect of subjecting individuals to discrimination or defeating the objectives of these regulations, are prohibited.

POLICY:

In order to avoid discrimination on the grounds of national origin, all programs or activities administered by the **Hyde County** will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in benefits and services for which such persons qualify. This Policy defines the responsibilities the agency has to ensure LEP individuals can communicate effectively.

DEFINITIONS:

Limited English Proficient (LEP) individual – Any prospective, potential, or actual recipient of benefits or services from the agency who cannot speak, read, write or understand the English language at a level that permits them to interact effectively with health care providers and social service agencies.

Vital Documents – These forms include, but are not limited to, applications, consent forms, all compliance plans, bid documents, fair housing information, citizen participation plans, letters containing important information regarding participation in a program; notices pertaining to the reduction, denial, or termination of services or benefits, the right to appeal such actions, or that require a response from beneficiary notices advising LEP persons of the availability of free language assistance, and other outreach materials.

Title VI Compliance Officer: The person or persons responsible for administering compliance with the Title VI LEP policies.

Substantial number of LEP: 5% or 1,000 people, whichever is smaller, are potential applicants or recipients of the agency and speak a primary language other than English and have limited English proficiency.

PROCEDURES:

1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE

The **County of Hyde** will promptly identify the language and communication needs of the LEP person. Staff will use a language identification card (or “I speak cards,” <http://www.lep.gov/resources/ISpeakCards2004.pdf>) and LEP posters to determine the language. In addition, when records are kept of past interactions with individuals or family members, the language used to communicate with the LEP person will be included as part of the record.

2. OBTAINING A QUALIFIED INTEPRETER

List the current name, office telephone number, office address and email address of the Title VI compliance officers:

Kris C. Noble
County Manager
30 Oyster Creek Road
Swan Quarter, NC 27885
knoble@hydecountync.gov
(252) 926-4180

Check all methods that will be used:

_____ Maintaining an accurate and current list showing the language, phone number and hours of availability of bilingual staff (*provide the list*):

_____ Contacting the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret;

- ✓ Obtaining an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

Hyde County has a Language Service Agreement with Fluent Language Solutions, Inc.

- ✓ Have/has agreed to provide qualified interpreter services. The agency's (or agencies') telephone number(s) is/are

Fluent Language Solutions, Inc.
(704) 532-7446.
Standard services are provided Monday – Friday from 8:00 am to 5:00 pm.

_____ Other (*describe*):

All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and **after** the LEP person has understood that an offer of an interpreter at no charge to the person has been made by the facility. Such an offer and the response will be documented in the person's file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest should be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

Children and other residents will **not** be used to interpret, in order to ensure confidentiality of information and accurate communication.

3. PROVIDING WRITTEN TRANSLATIONS

- i. The **County of Hyde** will set benchmarks for translation of vital documents into additional languages. (*please ensure to keep records of those documents that apply to your agency*)
- ii. When translation of vital documents is needed, the **County of Hyde** will submit documents for translation into frequently-encountered languages.
- iii. Facilities will provide translation of other written materials, if needed, as well as written notice of the availability of translation, free of charge, for LEP individuals.

4. PROVIDING NOTICE TO LEP PERSONS

The **County of Hyde** will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. Example: The notification will include, in the primary language of the applicant/recipient, the following language: **IMPORTANT: IF YOU NEED HELP IN READING THIS, ASK THE AGENCY FOR AN INTERPRETER TO HELP. AN INTERPRETER IS AVAILABLE FREE OF CHARGE.** All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served, and individuals and their families will be informed of the availability of such assistance free of charge.

At a minimum, notices and signs will be posted and provided in intake areas and other points of entry, including but not limited to the main lobbies, waiting rooms, etc.

Hyde County Government Center

Notification will also be provided through one or more of the following: outreach documents, telephone voice mail menus, local newspapers, radio and television stations, and/or community-based organizations

Outreach documents; local newspaper (The Washington Daily News); webpage notice

5. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION

On an ongoing basis, The **County of Hyde** will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, The **County of Hyde** will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, complaints filed by LEP persons, feedback from residents and community organizations, etc.

I. Compliance Procedures, Reporting and Monitoring

A. Reporting

The agency will complete an annual compliance report and send this report to NC Department of Commerce; Rural Economic Development (REDD) and/or other state agencies as necessary. (Format will be supplied by REDD)

B. Monitoring

The agency will complete a self-monitoring report on a quarterly basis, using a standardized reporting system proposed by the local government. These reports will be maintained and stored by the Title VI Compliance Officer and will be provided to the REDD upon request.

The agency will cooperate, when requested, with special review by the REDD.

II. Applicant/Recipient Complaints of Discriminatory Treatment

A. Complaints

The agency will provide assistance to LEP individuals who do not speak or write in English if they indicate that they would like to file a complaint. A complaint will be filed in writing, contain the name and address of the person filing it or his/her designee and briefly describe the alleged violation of this policy. The form can be found at <http://www.nccommerce.com/rd/community-assistance/investment-assistance/forms-resources/compliance-plans-and-templates/limited-english-proficiency>.

The agency will maintain records of any complaints filed, the date of filing, actions taken and resolution.

The agency will notify the appropriate section within REDD of complaints filed, the date of filing, actions taken and resolution. This information will be provided within 30 days of resolution.

B. Resolution of Matter

If the matter cannot be resolved by informal means, the individual will be informed of his or her right to appeal further to REDD. This notice will be provided in the primary language of the individual with Limited English Proficiency.

The REDD Compliance Office will conduct an investigation of the allegations of the complaint. The investigation will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.

The investigation will not exceed 30 days, absent a 15-day extension for extenuating circumstances.

If the investigation indicates a failure to comply with the Act, the local unit of government, agency Director or his/her designee will so inform the recipient and the matter will be resolved by informal means whenever possible within 60 days.

If the matter cannot be resolved by informal means, then the individual will be informed of his or her right to appeal further to the Department of Justice. This notice will be provided in the primary language of the individual with Limited English Proficiency. If not resolved by REDD, then complaint will be forwarded to Department of Justice (DOJ), Department of Housing and Urban Development (HUD) Field Office.

SUBMITTED AND ADOPTED BY:

Earl Pugh, Jr., Chairman, Hyde County Board of Commissioners

Date

HUD PORTAL LEP:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep-faq