Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: **September 3, 2019**
Presenter: **County Manager Kris Cahoon Noble**
Attachment: **Yes**

ITEM TITLE: **RESOLUTIONS AND POLICIES FOR HYDE COUNTY CDBG-I PROJECT**

SUMMARY: Attached are resolutions and policies for the Hyde County CDBG-I sewer force main extension project. Adoption of the attached resolutions and policies are in accordance with the requirements set forth in the CDBG-I grant agreement.
The attached documents for approval/adoption are:

- Blanket Resolution Approving Plans and Policies
- Project Ordinance
- Financial Management Resolution
- Citizen Participation Plan
- Residential Anti-Displacement and Relocation Assistance Plan
- Local Jobs Initiative (Section 3) Plan, Local Economic Benefit for Low- and Very Low Income Persons
- Policy Concerning Code Conduct for Officers, Employees, or Agents
- Fair Housing Complaint Procedure
- Excessive Force Policy
- Equal Opportunity Plan
- Procurement Standards Policy and Plan
- Language Access Plan
- Designation of Labor Standards Enforcement Officer
- Section 504 Grievance Procedure

RECOMMEND: **APPROVE AND ADOPT CDBG-I RESOLUTIONS AND POLICIES**

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

HYDE COUNTY FY2018 CDBG INFRASTRUCTURE PROGRAM
Resolution Approving Plans and Policies

WHEREAS, Hyde County wishes to carry out its FY2018 Community Development Block Grant Infrastructure (CDBG-I) 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 county's FY2018 CDBG Infrastructure program:

1. Project Ordinance
2. Financial Management Resolution
3. Citizen Participation Plan
4. Residential Anti-displacement and Relocation Assistance Plan
5. Local Jobs Initiative (Section 3) Plan, Local Economic Benefit for Low- and Very Low-Income Persons
6. Policy Concerning Code Conduct for Officers, Employees or Agents
7. Fair Housing Complaint Procedure
8. Excessive Force Policy
9. Equal Opportunity Plan
10. Procurement Standards Policy and Plan
11. Language Access Plan
12. Designation of Labor Standards Enforcement Officer
13. Section 504 Grievance Procedure

Adopted this 3rd day of September, 2019.

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

ATTEST:

_____
Lois Stotesberry, Clerk to the Board

HYDE COUNTY FY2018 CDBG INFRASTRUCTURE PROGRAM
Project 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 FY2018 Community Development Block Grant Infrastructure (CDBG-I) Program described in the work statement contained in the grant agreement (#18-I-3046) between Hyde County and the North Carolina Department of Environmental Quality. This project is more familiarly known as the Hyde County FY2018 CDBG Infrastructure, Engelhard Sanitary District Force Main Extension project.

Section 2. The 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 North Carolina Department of Environmental Quality, and the budget contained herein.

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

FY2018 CDBG-I Project (Engelhard Sanitary District Force Main Extension)

CDBG Grant	$1,200,000
Total Project Resources	$1,200,000

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

FY2018 CDBG-I Project (Engelhard Sanitary District Force Main Extension)

Project Budget	$1,200,000

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 Environmental Quality 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 Environmental Quality 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 3rd day of September, 2019.

_____

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

ATTEST:

_____

Lois Stotesberry, Clerk to the Board

HYDE COUNTY FY2018 CDBG INFRASTRUCTURE PROGRAM
Financial Management Resolution

WHEREAS, Hyde County has received a Community Development Block Grant Infrastructure (CDBG-I) Grant in the amount of $1,200,000; and

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

NOW, THEREFORE, Hyde County hereby resolves the following:

(1) Corrinne Gibbs, 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 FY2018 CDBG-I Program.

Resolved this 3rd day of September, 2019

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

ATTEST:

_____
Lois Stotesberry, Clerk to the Board

CITIZEN PARTICIPATION PLAN
DIVISION OF WATER INFRASTRUCTURE
NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY
COMMUNITY DEVELOPMENT BLOCK GRANT- INFRASTRUCTURE PROGRAM

Grantee: Hyde County

Recipient's Address: 30 Oyster Creek Road, 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 Environmental Quality – Division of Water Infrastructure (NCDEQ-DWI) and the Department of Housing and Urban Development (HUD).

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, (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

The 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 to develop activities and proposals for projects which, when implemented, will resolve those needs.

Technical assistance may be obtained by contacting the Chairman of the Hyde County Board of Commissioners or 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 Hearing

One public hearing shall be held during any CDBG program fiscal year prior to the submission of an application to the NCDEQ-DWI 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; and, 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; provide citizens with contact information such as address, telephone number, and dates for submitting complaints or grievances. 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 NCDEQ-DWI approval. For "local" amendments and changes for which the NCDEQ-DWI 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 NCDEQ-DWI 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 in facilitating 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 NCDEQ-DWI and/or HUD; 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 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 may appeal his/her case to the County.

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 NCDEQ-DWI.

Citizens may, at any time, contact the NCDEQ-DWI and/or HUD 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 NCDEQ-DWI or HUD.

All comments or complaints submitted to the NCDEQ-DWI or the HUD shall be addressed in writing to:

NC Department of Environmental Quality
Division of Water Infrastructure CDBG-I
1633 Mail Service Center
Raleigh, North Carolina 27699-1633

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 Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC, 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 3rd day of September, 2019.

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

ATTEST:

_____
Lois Stotesberry, Clerk to the Board

SAMPLE APPLICATION PUBLIC HEARING NOTICE

The **City of Anytown** will hold a public hearing on **January 10, 2009, 7:00 p.m. at City Hall** to discuss the city's submission of an application for the Fiscal Year 2009 Community Development Block Grant (CDBG) program. The city is interested in obtaining all citizens' input on community development needs within the city. As part of the hearing process citizens will be asked to verbally assist in the completion of a Needs Assessment document. The document will detail what the residents feel are the strengths and weaknesses of the community. The city needs as much local participation as possible in order to reflect the true desires of the community as a whole, as well as the comments relating to the proposed project application. The State has established a maximum application request for each funding category. Activities that are eligible for funding include the improvement of public works, public facilities, housing rehabilitation, and others allowed by law. At least 51% of the funds must be used to benefit low- and moderate-income persons. No displacement of persons will be proposed.

The city is proposing to replace some sewer lines, install some new sewer lines, and install a lift station in the southeast part of the city. The area to be addressed is bounded by Main Street on the east, Gordon Street on the west, BN Railroad on the north, and the City Limits on the south. The total project cost is estimated at $322,000. The city proposes to contribute $48,000 in cash, with grant funds of $274,000 needed to make up the balance. The project, if funded, will benefit 100% low- and moderate-income persons. All citizens, including those in the targeted area, are encouraged to attend in order to comment on the proposed activities.

For more information, or if you require special accommodations at the hearing, contact Jane Doe at 123-456-7890. Para información en español o en otra lengua, o el requerimiento de una acomodación especial al momento de la audiencia, contacte a Jane Doe at 123-456-7890

EQUAL HOUSING OPPORTUNITY

SAMPLE PERFORMANCE ASSESSMENT AND CLOSE OUT PUBLIC HEARING NOTICE

The (locality) will hold a public hearing on (date) at (location) to discuss the locality's Community Development Block Grant project, CDBG project number (project number). The locality is interested in obtaining all citizens' input on the performance of local officials, the (Town/City/County) staff, consultants and administrators, 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 (Town/City/County) in resolving identified community development and housing needs, and in achieving its community development goals and objectives. All citizens, including those in the targeted area, are encouraged to attend in order to comment on the proposed activities.

For more information, or if you require special accommodations at the hearing, contact (Town/City/County's clerk or administrator) at (Town/City/County's phone number).

Para información en español o en otra lengua, o el requerimiento de una acomodación especial al momento de la audiencia, contacte (Town/City/County's clerk or administrator) at (Town/City/County's phone number).

EQUAL HOUSING OPPORTUNITY

RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN

Hyde County CDBG Infrastructure Program
18-C-3046

This Residential Antidisplacement and Relocation Assistance Plan is prepared by Hyde County in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to our CDBG[1] projects.

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.

A. Relocation Assistance to Displaced Persons

The County will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the CDBG Program[s], 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.

B. 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 the CDBG Program[s] in accordance with 24 CFR 42.375.

1. CDBG programs include: Entitlement Community Development Block Grant (CDBG) Program, State CDBG Program, CDBG Small Cities Program, Section 108 Loan Guarantee Program, CDBG Special Purpose Grants Program, and the Neighborhood Stabilization Program (NSP).

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 a notice in The Washington Daily News newspaper and submit to State CDBG Program(s) North Carolina Department of Environmental Quality (NC DEQ) 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 the HUD-approved Consolidated Plan and 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.

C. Replacement not Required Based on Unit Availability

Under 24 CFR 42.375(d), the County may submit a request to the State (NC DEQ) 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.

D. Contacts

The Hyde County Manager (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 Hyde County Manager (252-926-4180) is responsible for providing 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.

Adopted this 3rd day of September, 2019.

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

ATTEST:

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Lois Stotesberry, Clerk to the Board

Local Jobs Initiative
Section 3 Plan
Local Economic Benefit for Low- and Very Low-Income Persons

Hyde County FY2018 CDBG Infrastructure Program
9/3/2019-9/2/2022

I. APPLICATION AND COVERAGE OF POLICY

Hyde County is committed to the policy that, to the greatest extent possible, opportunities for training and employment be given to lower income residents of the community development project area and contracts for work in connection with the federally assisted community development project 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 C.F.R. 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 local businesses participation 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 Administration, 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 and the Section 3 minimum numerical goals shall be mentioned in the pre-bid meetings and the preconstruction meetings.

The Section 3 minimum numerical goals shall be met by the County. If the minimum numerical goals are not met, an explanation and the efforts taken by the County to meet the goals shall be described in the Annual Section 3 report. The report must be submitted along with the Annual Performance Report (APR) during the life of the grant.

Section 3 minimum numerical goals (the Section 3 regulations established thresholds and goals at **24 CFR 135.30**):

Goals

- 30% of the aggregate number of new hires shall be Section 3 residents.
- 10% of the total dollar amount of all covered construction shall be awarded to Section 3 business concerns.
- 3% of the total dollar amount of all covered non-construction contracts shall be awarded to Section 3 business concerns.

A Section 3 business concern is defined as a business where

- 51% or more of the business is owned by Section 3 residents; or
- 30% or more employed staff are Section 3 residents; or
- 25% of subcontracts are committed to Section 3 businesses.

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 NCWorks agency (https://www.ncworks.gov/vosnet/Default.aspx) shall be notified and referred to the contractor.

Each contract for rehabilitation, replacement or new construction 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, we will develop a listing of jobs, supplies and contracts likely to be utilized during the project. We will then advertise the pertinent information regarding the project including all Section 3 required information. **Division of Water Infrastructure (DWI) should be contacted with the Bid Materials to distribute the information throughout their list-serve to reach out the communities.**

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.

Please check the methods to be used for the Section 3 program in your community:

☒ 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 the Housing and Community Development Act, local residents and businesses will be utilized for jobs, contracts 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 NCWorks agency (https://www.ncworks.gov/vosnet/Default.aspx); 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, of which the County will maintain a list for individuals and business concerns inquiring information.

☐ Training and technical assistance will be provided by the local community college for low income residents requiring skills to participate in community development project activities. Referrals will be made to the community college, local Private Industry Councils, Job Training Partnership Act (29 U.S.C. 1579 (a)) (JTPA) Programs, and job training programs provided by local community action agencies as appropriate. Residents and businesses will be encouraged to participate in state and/or federal job training programs that may be offered in the area.

☒ 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 County Courthouse
iii. County Board meeting when project activities and schedules are discussed
iv. Open meetings of Project Advisory Committee when everyone in neighborhood is invited
v. Notification to other agencies that provide services to low-income people.

☐ Other (**describe**):

N/A

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:

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 DWI, 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 DWI 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, notice, and published information will be kept to document the implementation of the plan.

V. SECTION 3 COORDINATOR CONTACT INFORMATION

Please provide the main contact in case that any complaint is received or general information is requested by the general public on Section 3 compliance:

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 3rd day of September, 2019.

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

ATTEST: _____
Lois Stotesberry, Clerk to the Board

HUD PORTAL SECTION 3:
http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/section3/section3

HYDE COUNTY FY2018 CDBG INFRASTRUCTURE 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 3rd day of September, 2019.

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

ATTEST:

_____
Lois Stotesberry, Clerk to the Board

Fair Housing Complaint Procedure

Hyde County, North Carolina

Housing discrimination is prohibited by Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) and the North Carolina Fair Housing Act. In an effort to promote fair housing and that the rights of housing discrimination victims are protected, Hyde County has adopted the following procedures for receiving housing discrimination complaints:

1. Any person or persons wishing to file a complaint of housing discrimination in the County may do so by informing the County Manager of the facts and circumstance of the alleged discriminatory acts or practice.

2. Upon receiving a housing discrimination complaint, the County Manager shall acknowledge the complaint within *15 days in writing* and inform the Division of Water Infrastructure and the North Carolina Human Relations Commission about the complaint.

3. The County Manager shall offer assistance to the Commission in the investigation and reconciliation of all housing discrimination complaints which are based on events occurring in the County.

4. The County Manager shall **publicize** in the local newspaper, with the TDD#, who is the local agency to contact with housing discrimination complaints.

It is the policy of Hyde County to implement the CDBG program to ensure equal opportunity in housing for all persons regardless of religion, race, color, national origin, age, sex, familial status, or marital status.

If you have any questions about the complaint procedure or would like to register a complaint of fair housing discrimination please contact the County Manager, 30 Oyster Creek Road, PO Box 188, Swan Quarter, NC 27885, (252) 926-4180, knoble@hydecountync.gov, or, for the hearing impaired, TDD assistance is available at TDD# (919) 733-7996 (or Relay North Carolina TT# 1-800-735-2962) and providing the facts and circumstances of alleged discriminatory act or practice.

This information is available in Spanish or any other language upon request. Please contact Kris Noble, County Manager, at (252) 926-4180 or at the Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC, for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con Kris Noble, County Manager, al (252) 926-4180 o en Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC, de alojamiento para esta solicitud.

EQUAL HOUSING
OPPORTUNITY

Adopted this 3rd day of September, 2019.

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

ATTEST: _____
Lois Stotesberry, Clerk to the Board

First page must be published on the Newspaper after the Complaint Procedure is adopted. Please keep the Adopted document in the files including signatures and the Newspaper Publication for documentation

Discrimination Complaints

- Visit the **NC Human Relations Commission** to file a discrimination complaint
- Visit **HUD's website** to file a discrimination complaint
- Visit the **US Department of Justice** Civil Rights Division to file a discrimination complaint
- The **NC Fair Housing Project of Legal Aid of North Carolina** is funded by a HUD Fair Housing Initiatives Program (FHIP) grant. The Fair Housing Project of NC is available to provide information concerning a person's rights under the Federal Fair Housing Act. When necessary, staff can also assist victims of housing discrimination in filing a complaint with HUD or other appropriate administrative or judicial bodies. For more information, or if you believe you have been a victim of housing discrimination, call the FHP's toll-free number: **1-855-797-FAIR (1-855-797-3247).**

Excessive Force Policy

Hyde County FY2018 CDBG Infrastructure Program
18-C-3046

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-I Grant Funds, acknowledges its responsibility to and will adhere to the aforesaid NC State and Federal Excessive Force Regulations. 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 the County.

Adopted this 3rd day of September, 2019.

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

ATTEST:

_____
Lois Stotesberry, Clerk to the Board

Procurement Standards Policy and Plan

Policy:

Hyde County will comply with the terms and conditions of Federal funding that is awarded and accepted, including, but not limited to, the terms and conditions of the Grant Contract, and the *Procurement Policy of the North Carolina Department of Environmental Quality's Water Infrastructure Division, Community Development Block Grant-Infrastructure Program (Procurement Policy)*, attached. The States were advised by HUD to develop their own procurement policies, and the CDBG-Infrastructure Program has developed and adopted the attached policy as reference for its grantee communities, using the 2 CFR Part 200 federal regulations, supplemented with NC General Statutes 143-64.31, 143-129, and 143-131 as guidance. The County, as the recipient of Federal CDBG funds, acknowledges its responsibility to and will adhere to the aforesaid Procurement Policy of the North Carolina Department of Environmental Quality's Water Infrastructure Division.

The 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, when those entities offer the best level of knowledge, skills and abilities for professional services, and when those entities offer the knowledge, skills and abilities and are the lowest cost responsive, responsible bidders in building trade and related services. Additionally, the County will demonstrate contract cost and price awareness and adhere to awarding agency contract provisions (2 CFR Part 200, Appendix II, except for items F and J, which were not adopted by the CDBG-Infrastructure Program, as allowed under 2 CFR Part 200.101(d)(1)).

Plan:

All procurement of goods and services by the County with CDBG grant funds shall be accomplished in accordance with the requirements of the *Procurement Policy*, and HUD implementing regulations at 24 CFR Part 570.489 (g) and (h), which prohibits cost plus a percentage of construction cost method of contracting for services. 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 Chapter 143 applying to procurement in general by North Carolina municipalities and counties.

When Federal and State regulations are different, the more restrictive regulation shall apply to the procurement in question, as outlined in the *Procurement Policy.* Additionally, the County will adhere to the following guidelines during procurement of goods and services using Federal funds:

- In all cases where goods or services are procured based on one bid or proposal received, the County will follow established principles to verify the reasonable cost of the procurement and shall contact the State Agency supervising the grant program before making any contract award based on non-competitive negotiation. *The County shall follow all noticing and advertising requirements prior to accepting the single source respondent. Written permission from the CDBG-I Program shall be obtained prior to entering into a single source contract.*

- Section 3 certified businesses, and historically underutilized businesses, including women-owned and minority-owned enterprises shall be included on bidders' or professional services' lists maintained by the County. Firms 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.

Professional Services Contracts: Professional services shall be procured through the use of Request for Proposals (administrative services) or Request for Qualifications (engineering services). Respondents offering administrative services shall be selected on the basis of the best qualified respondent *for the price*. Respondents offering engineering services shall be selected on the basis of the best qualified respondent, *without regard for price*. A written selection procedure shall be used to evaluate respondents, and those records maintained in the procurement files.

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 an outline of fee proposal requirements. The selected engineering services respondent and the County shall then enter into competitive negotiations to arrive at a mutually agreeable price for engineering services. All contracts awarded through competitive negotiations shall be awarded strictly on the basis of the written selection procedure.

Construction Services: Construction services shall be competitively bid using sealed bids, with the award going to the lowest responsive, responsible bidder. A minimum of three bids shall be received prior to opening the sealed bids.

- 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 development of the Request for Proposals nor in the Request for Qualifications posting in which the consultant or bidder has a direct or indirect interest.
- No consultant or bidder shall assist in the evaluation of proposals or bid packages for contracts in which that consultant or bidder has a direct or indirect 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 the small purchase's procedure.
- The County shall not award any contract for federally-assisted projects on a contingency or cost-plus-percentage of construction basis.
- The County shall hold a pre-bid meeting and a pre-construction meeting for each construction project bid competitively using CDBG-Infrastructure funds. Evaluation criteria for the bids may add points for attending the pre-bid meeting of contractors, but it is not a prerequisite.

Adopted this 3rd day of September, 2019.

_____

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

Attest: _____

Lois Stotesberry, Clerk to the Board

Equal Opportunity Plan

Hyde County FY2018 CDBG Infrastructure Program

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 affirmatively to further 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 documents intended to be shared with the public.

The County shall post in public buildings and the CDBG 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.

Describe specific actions to be taken to contact and develop working relationships with local owners, real estate and civic, charitable or neighborhood organizations in particular, to secure public understanding and responsibilities to exercise Equal Housing Opportunity.

Conduct quarterly activities including:

- Publish fair housing notice with complaint procedure in local newspaper.
- Develop and distribute fair housing brochure to area housing-related industries.
- Contact local libraries and provide posters and other fair housing materials for distribution.
- Broadcast fair housing policy/complaint procedure on local access Suddenlink Cable 9.

B. *Equal Employment Opportunity Plan*

***Executive Order 11246**, as amended by Executive Orders 11375, 11478, 12086, and 12107 (3 CFR 1964-1965 Comp. p. 339; 3 CFR, 1966-1970 Comp., p. 684; 3 CFR, 1966-1970., p. 803; 3 CFR, 1978 Comp., p. 230; 3 CFR, 1978 Comp., p. 264 (Equal Employment Opportunity), and Executive Order 13279 (Equal Protection of the Laws for Faith-Based and Community Organizations), 67 FR 77141, 3 CFR, 2002 Comp., p. 258; and the implementing regulations at 41 CFR chapter 60;*

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 shall develop a self-evaluation mechanism to provide periodic examination and evaluation. Every two years the results of the self-evaluation reporting on the progress of Equal Employment Opportunity and Affirmative Action will be presented to the Chairman of the Board of Commissioners. Records presented to the Chairman shall be maintained in the files and will be provided to DWI as needed.

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 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 3rd day of September, 2019.

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

ATTEST:

_____
Lois Stotesberry, Clerk to the Board

LANGUAGE ACCESS PLAN
Providing Meaningful Communication with Persons with Limited English Proficiency

Hyde County
9/3/2019 – 9/2/2022

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 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 Hyde County 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 County 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 County and speak a primary language other than English and have limited English proficiency.

PROCEDURES:

1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE

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

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.

Fluent Language Solutions, Inc.

Have/has agreed to provide qualified interpreter services. The organization's (or organizations') telephone number(s) is/are ***(insert number (s)),*** and the hours of availability are ***(insert hours)***.

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

☐ Other ***(describe)*:**

N/A

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. Hyde County will set benchmarks for translation of vital documents into additional languages. ***(please ensure to keep records of those documents that apply to your local unit of government)***
ii. When translation of vital documents is needed, the County 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

Hyde County 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 COUNTY FOR AN INTERPRETER TO HELP. AN INTERPRETER IS AVAILABLE FREE OF CHARGE.

The County shall include at minimum the following phrases in English and Spanish in any document requesting public comments, or notifying the community of any modifications/amendments to the CDBG program during the life of the grant, including but not limited to public hearing notifications, citizen participation documents, Environmental Review notifications, among other documents:

- *"This information is available in Spanish or any other language upon request. Please contact Kris Noble, County Manager, at (252) 926-4180 or at the Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC, for accommodations for this request."*

- *"Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con Kris Noble, County Manager, al (252) 926-4180 o en Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC, de alojamiento para esta solicitud."*

*****Please note the address and name itself should not be translated (e.g. "Charlie" should not be translated to "Carlos"; "Main Street" should not be translated to "Calle Principal")***

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 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 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 County will complete an annual compliance report and send this report to DWI. The form can be found at http://portal.ncdenr.org/web/wi/cdbg-i-compliance1.

B. Monitoring

The County will complete a self-monitoring report on a semiannual 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 DWI upon request.

The County will cooperate, when requested, with special review by the DWI.

II. Applicant/Recipient Complaints of Discriminatory Treatment

A. Complaints

The County 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://portal.ncdenr.org/web/wi/cdbg-i-compliance1. The County will maintain records of any complaints filed, the date of filing, actions taken and resolution.

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

A. Resolution of Matter

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 (DOJ). This notice will be provided in the primary language of the individual with Limited English Proficiency. If not resolved by DWI, then complaint will be forwarded to U.S. Department of Justice (DOJ) and U.S. 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

HYDE COUNTY FY2018 CDBG INFRASTRUCTURE PROGRAM
Designation of Labor Standards Enforcement Officer

To ensure that all public works construction activities included in the Hyde County's FY2018 CDBG Infrastructure (CDBG-I) Program are completed with due attention to all federal labor standards regulations, Hyde County hereby designates Chris Hilbert, Project Manager with Holland Consulting Planners, Inc., as Labor Standards Enforcement Officer for its FY2018 CDBG Infrastructure Program.

Adopted this 3rd day of September, 2019.

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

ATTEST:

_____
Lois Stotesberry, Clerk to the Board

SECTION 504 COMPLIANCE OFFICER/GRIEVANCE PROCEDURE
COMMUNITY DEVELOPMENT BLOCK GRANT
Hyde County, North Carolina

The Hyde County Board of Commissioners hereby designates Kris Noble, County Manager, to serve as Section 504 Compliance Officer throughout the implementation of the Hyde County Community Development Block Grant Program.

Citizens with Section 504 grievance may do so at any point in the program. Hyde County will respond in writing to written citizen grievances. Citizen grievances should be mailed to: Kris Noble, Hyde County Manager, PO Box 188, Swan Quarter, NC 27885, Telephone (252) 926-4180. The County will respond to all written citizen grievances within ten (15) days of receipt of the comments.

Should any individual, family, or entity have a grievance concerning any actions prohibited under Section 504, a meeting with the Compliance Officer to discuss the grievance will be scheduled. The meeting date and time will be established within five (5) calendar days of receipt of the request. Upon meeting and discussing the grievance, a reply will be made, in writing, within five (5) calendar days.

If citizen is dissatisfied with the local response, they may write to the North Carolina Department of Environmental Quality (NCDEQ), Division of Water Infrastructure CDBG-I Unit:

Mailing Address - 1633 Mail Service Center, Raleigh, North Carolina, 27699-1633

NCDEQ will respond only to written comments within ten (10) calendar days of the receipt of the comment.

This information is available in Spanish or any other language upon request. Please contact Kris Noble, County Manager, at (252) 926-4180 or at the Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC, for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con Kris Noble, County Manager, al (252) 926-4180 o en Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC, de alojamiento para esta solicitud.

EQUAL HOUSING OPPORTUNITY

Adopted this 3rd day of September, 2019.

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

ATTEST: _____
Lois Stotesberry, Clerk to the Board

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: **September 3, 2019**
Presenter: **County Manager Kris Cahoon Noble**
Attachment: **Yes**

ITEM TITLE: **DESIGNATION OF APPLICANT'S AGENT-HYDE COUNTY HURRICANE FLORENCE HMGP 4393**

SUMMARY: The North Carolina Division of Emergency Management requires recipients of disaster grant funding to designate a primary and secondary agent authorized to represent the organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to disaster assistance required by the grant agreement. We are requesting approval for Kris Cahoon Noble to be designated as Primary Agent and Corrinne Gibbs as Secondary Agent for the Hyde County Hurricane Florence HMGP grant.

RECOMMEND: **APPROVE**

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

RESOLUTION
DESIGNATION OF APPLICANT'S AGENT

North Carolina Division of Emergency Management

Organization Name (hereafter named Organization) County of Hyde	Disaster Number: 4393 - Project #F0S129 Florence HMGP
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate): North Carolina Department of Crime Control and Public Safety	
Applicant's Fiscal Year (FY) Start Month: July Day: 1	
Applicant's Federal Employer's Identification Number 56 - 6000308	
Applicant's Federal Information Processing Standards (FIPS) Number 3 - 70 - 95	

PRIMARY AGENT		SECONDARY AGENT	
Agent's Name	Kris Cahoon Noble	Agent's Name	Corrinne Gibbs
Organization	County of Hyde	Organization	County of Hyde
Official Position	County Manager	Official Position	Finance Officer
Mailing Address	PO Box 188	Mailing Address	PO Box 188
City ,State, Zip	Swan Quarter, NC 27885	City ,State, Zip	Swan Quarter, NC 27885
Daytime Telephone	(252) 926-4178	Daytime Telephone	(252) 926-4192
Facsimile Number	(252) 926-3701	Facsimile Number	(252) 926-3701
Pager or Cellular Number	(252) 542-0802	Pager or Cellular Number	(252) 945-0710

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and **the assurances printed on the reverse side hereof**. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this _____ day of _____, 20__.

GOVERNING BODY		CERTIFYING OFFICIAL	
Name and Title	Earl Pugh, Jr., Chairman	Name	Lois Stotesberry
Name and Title		Official Position	Clerk to the Board
Name and Title	September 3, 2019	Daytime Telephone	(252) 926-4187

CERTIFICATION

I, Lois Stotesberry, (Name) duly appointed and Clerk (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of County of Hyde (Organization) on the 3rd day of September, 2019.

Date: September 3, 2019 **Signature:**_____

Rev. 06/02

HYDE COUNTY BOARD OF COMMISSIONERS
2011/2012 BUDGET *REVISIONS*

MEETING DATE
9/3/2019

(FO USE) BR # OR IDT#	DEPARTMENT	ACCOUNT #	LINE ITEM ACCOUNT NAME / EXPLANATION	"+" EXP BUDGET "-" REV BUDGET DEBIT	"-" EXP BUDGET "+" REV BUDGET CREDIT
3-20	WIC	10-5970.3200	Office Supplies	$ 2,488.58	
		10-5970.3300	Department Supplies	$ 2,678.56	
		10-3480.0006	WIC DHHS - revenue		$ 5,167.14
				$ 5,167.14	$ 5,167.14
			Additional funding received from NC DHHS to enhance the WIC program. Satelite clinic is being set up in DSS Building in Engelhard for ease of access to Engelhard clients. ***Budget is increased by no local appropriations are needed.***		

REQUESTED Juana C Gibbs DATE 9-3-19

APPROVED... CO MANAGER CO COMMISSIONER-CHAIR CLERK TO THE BOARD

ENTERED LEDGER/DATE_____

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: **September 3, 2019**
Presenter: **Chair, Vice-Chair, Commissioners, Manager**
Attachment: **Yes**

ITEM TITLE: **MANAGEMENT REPORTS**

SUMMARY: This is a time for each Commissioner to give reports on their work representing the County.

Additionally, Commissioners may wish to bring up issues they wish to have followed up by the Board or by the County Manager.

The County Manager will give an oral update on various projects and other administrative matters.

RECOMMEND: Receive reports. Discussion and possible action as necessary.

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

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: **September 3, 2019**
Presenter: **Citizens**
Attachment: **No**

ITEM TITLE: **PUBLIC COMMENTS**

SUMMARY: 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.

RECOMMEND: Receive comments.