

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: August 14, 2007

SUBJECT: CDBG Administration Documents

ATTACHMENTS: Yes

1. Resolution Accepting the CDBG Housing Development Grant Agreement and Fund Approval and Special Conditions
2. Update to Previously Approved Recipient's Plan to Further Fair Housing
3. Ordinance - CDBG Housing Development Grant Project Budget
4. Citizen Participation Plan
5. Residential Anti-Displacement and Relocation Assistance Plan
6. Equal Opportunity and Procurement Plan
7. Local Economic Benefit for Low and Very Low Income Persons Plan
8. Resolution to Adopt the Citizen Participation Plan, Residential Anti-Displacement and Relocation Assistance Plan, Equal Opportunity and Procurement Plan, and Local Economic Benefit for Low and Very Low Income Persons Plan.
9. Residential Anti-Displacement and Relocation Assistance Certificate
10. Procurement Policy
11. Fair Housing Complaint Procedure
12. Performance Based Contract: Implementation Schedule
13. Resolution to Update the Henderson County Analysis of Impediments to Fair Housing for CDBG Programs

SUMMARY OF REQUEST:

In November 2006, the County applied for and subsequently received \$250,000 in Community Development Block Grant (CDBG) Housing Development funds for infrastructure development in the Shuey Knolls Subdivision. Land-of-Sky was chosen to provide assistance in the administration of these funds for Henderson County. The attached grant implementation documents have been prepared by Land-of-Sky for execution by the Chairman, to allow them to begin moving forward with the project on behalf of Henderson County.

BOARD ACTION REQUESTED:

The Board is requested to authorize the Chairman to sign the attached documents for forwarding to the Land-of-Sky Regional Council.

Suggested Motion:

I move that the Board authorize the Chairman to sign the attached documents for forwarding to the Land-of-Sky Regional Council.

A RESOLUTION ACCEPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING DEVELOPMENT GRANT AGREEMENT AND FUNDING APPROVAL AND SPECIAL CONDITIONS -- CDBG NO-06-C-1600

WHEREAS, Henderson County is participating in the Community Development BLOCK Grant Program under the Housing Act of 1974, as amended, administered by the North Carolina Department of Commerce; and

WHEREAS, Henderson County has been allocated a CDBG Housing Development Grant in the amount of \$250,000 under Title I of the Housing and Community Development Act of 1974 for infrastructure improvements related to the Henderson County Habitat for Humanity, Shuey Knolls Housing Development; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF HENDERSON COUNTY, NORTH CAROLINA, THAT:

Section 1. The Chairman and Board of Commissioners are hereby authorized to execute the Funding Approval on behalf of the County.

Section 2. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 14th day of August, 2007.

William Moyer
Chairman

ATTEST:

Clerk to the Board

UPDATE TO PREVIOUSLY APPROVED RECIPIENT'S PLAN TO FURTHER FAIR HOUSING

County of Henderson
Recipient

CDBG 06-C-1600
Grant Number

Karen A. Kiehna
Contact Person
Number

(828) 251-6622 / 1-828-697-4809
Telephone Number/TDD

A. REVIEW OF FAIR HOUSING PLAN approved August - 2007

1. Housing Discrimination Complaint Procedure
 - a. Procedure is in place for all citizens to use:
 X Yes No
 - b. Indicate method used to notify public and availability of complaint procedure:
Disbursement of Housing Discrimination Complaint Forms and Public Notices at service providers and county offices throughout Henderson County.
 - c. If applicable, describe any changes made to the procedure since Plan approved:
No changes since the last Fair Housing Update.

2. Approved Activity (ies)

<u>Completed / on-going activities</u>	<u>Date(s) completed / implemented</u>
1. First Quarter <i>Meet with Housing Assistance Corporation (HAC) to review fair housing education in the Homebuyer Education Classes.</i>	2007
2. Second Quarter <i>Update rental information for participation on the Socialserve.com website.</i>	2007
3. Third Quarter <i>Update Henderson County Website Fair Housing Information.</i>	2008

4. Fourth Quarter 2008
Promote Fair Housing through informational notices in area newspaper.
5. Fifth Quarter 2008
Disperse Fair Housing Pamphlets and Housing Discrimination Complaint Forms to local service providers and county library.
6. Sixth Quarter 2008
Work with Community Relations Office to provide fair housing assistance.
7. Seventh Quarter 2009
Update rental information for Henderson County.
8. Eighth Quarter 2009
Update Henderson County Website Fair Housing Information.
9. Ninth Quarter 2009
Promote Fair Housing through informational notices in area newspaper.

Date

William L. Moyer, Chairman

CDBG HOUSING DEVELOPMENT GRANT ORDINANCE

AN ORDINANCE ESTABLISHING A PROJECT BUDGET FOR THE HENDERSON COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING DEVELOPMENT GRANT PROJECT – CDBG NO. 06-C-1600

WHEREAS, Henderson County is participating in the Community Development Block Grant Program under the Housing Act of 1974, as amended, administered by the North Carolina Department of Commerce; and

WHEREAS, Henderson County has been allocated a CDBG Housing Development Grant in the amount of \$250,000 under Title I of the Housing and Community Development Act of 1974 for improvements to the Habitat For Humanity Shuey Knolls Housing Development; and

WHEREAS, Henderson County now desires to establish a project budget to account for the disposition of these funds.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HENDERSON COUNTY, NORTH CAROLINA THAT:

Section 1. A project budget shall be established for the CDBG Housing Development Grant Project #06-C-1600.

Section 2. Revenues for this project shall be:

	<u>Original Grant</u>
CDBG Housing Development	\$250,000.00
TOTAL REVENUES	\$250,000.00

Section 3. Projected expenditures for this project shall be:

C. (9) Street Improvements	\$174,500.00
C. (14) Public Water Improvements	\$47,000.00
L. Planning	\$3,500.00
M. Administration	\$25,000.00
TOTAL	\$250,000.00
TOTAL EXPENDITURES	\$250,000.00

Section 4. This Ordinance shall remain in effect until the completion of the CDBG Housing Development Grant Project 06-C-1600.

Section 5. The County Clerk and the Chairman are instructed to take appropriate actions to implement this Ordinance.

Adopted and approved this the 14th day of August, 2007.

William L. Moyer
Chairman, Board of Commissioners

ATTEST:

Clerk to the Board

**HENDERSON COUNTY
CITIZEN PARTICIPATION PLAN
FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS**

Henderson County will provide citizens with an adequate opportunity for meaningful involvement on a continuing basis and for participation in the planning, implementation, and assessment of CDBG programs. The procedures for ensuring this are outlined below.

(1) Citizen participation in the application process. The County shall:

(A) Solicit and respond in a timely manner to views and proposals of citizens, particularly low-and moderate-income persons, members of minority groups, and residents of blighted areas where activities are proposed. The County shall respond in writing to written citizens comments. Responses shall be made within ten calendar days of receipt of the citizen comment.

(B) Provide technical assistance to facilitate citizen participation, where requested. The technical assistance shall be provided to groups, representative of persons of low-and moderate-income, that requests such assistance in developing proposals. The level and type shall be determined by the County.

(C) Provide adequate notices of public hearings in timely manner to all citizens and in such a way as to make them understandable to non-English speaking persons. Hearings will be held at times and locations convenient to potential or actual beneficiaries and with accommodations for the handicapped. A notice of the public hearing shall be published at least once in the non-legal section of a newspaper having general circulation in the area. The notice shall be published not less than ten days or more than 25 days before the date fixed for the hearing. The notice of public hearing to obtain citizens' views after the application has been prepared, but prior to the submission of the application to the Division of Community Assistance (DCA) shall contain a description of the proposed project(s) including the proposed project location, activities to be carried out, and the total costs of activities.

(D) Schedule hearings to obtain citizens' views and to respond to citizen proposals at times and locations that permit broad participation, particularly by low-and moderate-income persons, members of minority groups, handicapped persons, and residents of blighted neighborhoods and project areas.

(E) Conduct one public hearing during the planning process to allow citizens the opportunity to express views and proposals prior to formulation of the application.

(F) Conduct one public hearing after the application has been prepared but prior to submission of the application to DCA.

(2) Submitting (application) objections to the Division of Community Assistance (DCA).

(A) Persons wishing to object to the approval of an application by Henderson County shall submit to DCA their objections in writing. DCA will consider objections made only on the following grounds.

(i) The applicant's description of the needs and objectives is plainly inconsistent with available facts and data.

(ii) The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant, and

(iii) The application does not comply with the requirements of DCA or other applicable laws.

(B) All objections shall include an identification of the requirements not met. In the case of objections made on the grounds that the description of needs and objectives is plainly inconsistent with significant, generally available facts and data, the objection shall include the facts and data upon which the objection is based.

(C) The address of the Division of Community Assistance is:

North Carolina Division of Community Assistance
1307 Glenwood Avenue
4313 Mail Service Center
Raleigh, NC 27699

(3) Submitting objections to the County.

(A) Persons may object directly to the County throughout the life of the grant. The County will respond in writing to written citizen complaints within 10 calendar days of receipt of the complaint. If a citizen is dissatisfied with the local response, the citizen may direct their complaint to NCDCA to the address listed in (2) (C).

(B) The complaint should be directed to:

Henderson County
CDBG Program Administrator
101 East Allen Street
Hendersonville, NC 28792
828-697-4819

(C) The County will only consider complaints made concerning the County's failure to comply with requirements contained in 04 NCAC 19L.1002.

(4) Citizen participation is provided for in the program amendment process, if the County proposes an amendment that would require prior NCDCA approval. The County:

(A) Will conduct one public hearing prior to the submission of the amendment to DCA in the same manner as in Part (1), (A), (B), (C), (D), of this plan.

(B) Will respond to citizen's objections and comments in the same manner as in (2) (A), (B), (C) and (3) (A).

(5) Submitting objections (to an amendment) to the Division of Community Assistance (DCA).

(A) Persons wishing to object to the approval of an amendment by DCA shall make such objection in writing. DCA will consider objections made only on the following grounds:

(i) Henderson County's description of needs and objectives is plainly inconsistent with available facts and data.

(ii) The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the recipient, and

(iii) The amendment does not comply with the requirements of applicable laws and regulations.

(B) All objections shall include an identification of the requirements not met. In the case of objections made on the grounds that the description of needs and objectives is plainly inconsistent with significant, generally available facts and data, the objection shall include the facts and data upon which the objection is based.

(6) Citizen Participation in the program closeout process.

(A) Henderson County shall conduct one public hearing to assess program performance during the grant closeout process and prior to the actual closeout of the grant in the same manner as in Part (1) (A),(B),(C) of this plan.

(B) Henderson County shall continue to solicit and respond to citizen comment in the same manner as in Part (2) A), (B), (C) and (3) (A) of this plan until such time as the grant program is closed.

(7) Persons may submit written comments to DCA at any time concerning the applicants or recipients failure to comply with the requirements contained in this plan.

(A) All records of public hearings, citizens' comments, responses to comments and other relevant documents and papers shall be kept in accordance with Rule .0911 the program regulations. All program records shall be accessible to citizens in accordance with Rule .0911(b) of the program regulations.

Adopted this 14th day of August, 2007.

William L. Moyer
Henderson County Board of Commissioners

Clerk to the Board/Deputy Clerk
{Seal}

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

As required by HUD, under Section 104(d) of the Community Development Act of 1974, Henderson County must be adopt, make public and certify that it is following a residential anti-displacement and relocation assistance plan. This plan shall provide for replacement units and relocation assistance when occupied or vacant occupiable low/moderate income dwellings are demolished or converted as a direct result of CDBG supported activity.

1. The County will replace all occupied low/moderate-income (LMI) dwelling units demolished or converted to a use other than as low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.606 (B) (1).
2. All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the applicant will make public and submit to the Division of Community Assistance the following information in writing:
 - A. A description of the proposed assisted activity
 - B. A general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate- income dwelling units as a direct result of the assisted activity
 - C. A time schedule for the commencement and completion of the demolition or conversion
 - D. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units
 - E. The source of funding and a time schedule for the provision of replacement dwelling units, and
 - F. The basis of concluding that each replacement dwelling unit will remain a low/moderate- income dwelling unit for at least five years from the date of initial occupancy
 - G. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of LMI households in the jurisdiction
3. Henderson County will provide relocation assistance, as described in 24 CFR 570.606 (B) (2), to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities.

4. In order to assure compliance with the County Residential Anti-displacement and Relocation Plan, the Community Development (CD) Administrator will conduct a thorough inspection of all housing units proposed for demolition to determine if they can be rehabilitated to HUD Model Property Standards within allowable costs (currently \$29,999/unit), and
5. The CD Administrator will examine housing alternatives and housing financing mechanisms to determine possible means of proposed relocatees remaining on site or near the site. Alternatives to be considered include the following:
 - A. purchase of mobile homes to be placed on site though they are not considered to be standard replacement units
 - B. utilization of USDA Housing Programs, North Carolina Housing Finance Agency financing mechanisms, Self-Help Credit Union home mortgage programs, etc.
6. The detailed Relocation Plan can be seen as Attachment 1.
7. This resolution shall take effect immediately and be effective for the life of CDBG #06-C-1600.

Adopted this 14th day of August, 2007

Attest:

William L. Moyer, Chairman

Henderson County Board of Commissioners

Clerk to the Board/Deputy Clerk

{Seal}

HENDERSON COUNTY, NORTH CAROLINA
OPTIONAL COVERAGE RELOCATION PLAN
CDBG HOUSING DEVELOPMENT PROGRAM

Organization and Administration

Henderson County (hereinafter called “County”) Community Development Block Grant (CDBG) Housing Development Program Administrator will administer and coordinate all relocation activities (temporary or permanent), resulting from CDBG activities. Citizens displaced by the CDBG Program activities are eligible to receive relocation assistance. The financial assistance is in a form as permitted under implementing regulations at 49 CFR Part 24 and the Uniform Relocation Assistance (URA) and Real Property Acquisition Policies Act of 1970, as amended.

Definition of a “Displaced Persons”

A displaced individual is someone whose home is located within the CDBG Activity Area, whose home is determined to be in a condition too dilapidated to be economically feasible to rehabilitate and will be demolished. This can also include a person temporarily displaced as a result of program activities such as housing rehabilitation.

Definition of “Standard Housing”

A dwelling unit is in standard condition if it is decent, safe, and sanitary. A dwelling unit is considered decent, safe and sanitary if (a) it is in good repair and is weather tight, with no leakage nor dampness; (b) it has no health, fire or safety hazards within the structure or in the immediate vicinity; (c) it has running water, a private sewer-connected to a flush toilet, and a bathroom for exclusive use of the occupant, with tub or shower with hot and cold running water, all within the dwelling unit; (d) it has permanent, reasonably efficient kitchen facilities for exclusive use of the occupant, including sink with hot and cold running water, cooking stove connections, shelves and storage space for food and utensils; (e) it has facilities or connections for washing and drying clothes; (f) it is large enough to accommodate the occupants without overcrowding; (g) it is equipped with adequate heating facilities; (h) it is adequately ventilated by at least one operable window in every room and is screened, or screens are available; (i) it is wired for electricity; and (j) it is located in a neighborhood which is free from industrial and other nuisances, is supplied with the community facilities of a standard neighborhood, and is reasonably accessible to transportation, school, churches and stores.

It is intended that all dwellings into which displaced families relocate will be inspected by Henderson County. If the dwellings are not found to be decent, safe and sanitary, the move will be considered temporary relocation.

Optional Coverage for Henderson County, North Carolina

The Henderson County CDBG Program shall undertake relocation that may not be covered automatically under the URA such as would be the case with voluntary demolition. Henderson County intends for these persons to be served at the same levels as those described under the URA and will use this Optional Coverage Relocation Plan to establish this coverage. Under this Plan, Henderson County shall provide relocation payments and assistance to the following:

1. Homeowners and their families who are displaced by rehabilitation activity of a dwelling located within the Community Development Area.
2. Homeowners and their families who are displaced by the voluntary demolition of a dwelling occupied by the families and located within the Community Development Area.

Relocation Assistance to Families and Individuals

Henderson County shall provide relocation planning, advisory and coordination services consistent with those described in Section 24.205 of the URA. These shall include, but not be limited to the provision of transportation services as needed to view comparable replacement dwellings, or other transportation as deemed necessary and reasonable to support the relocation, assistance in submitting claims for payment, counseling and education on relocation regulations and coordinating these activities with existing social service and economic assistance programs as they are available.

Temporary Relocation

Rehabilitation shall be conducted without relocation of the affected occupants to the greatest extent feasible. Should relocation be necessary and should available temporary housing be substandard by the above definition, the minimum standards set forth shall not apply. Such relocation shall be accomplished at the minimum feasible cost. If the two moves involved, (out of and back into the rehabilitated or replacement structure) one may be financed under a Fixed Payment for Moving Expenses as described below. Temporary relocation payments will be limited to cover only those expenses that would not otherwise be normal to the relocatee. That is to say, expenses that are directly related to the temporary relocation and which are above and beyond the normal expenses incurred by the relocatee. These would include, but not be limited to reasonable expenses for lodging for the period of dislocation, travel expenses to and from the lodging or other temporary relocation site, costs for temporary storage of household belongings. This would not include reimbursement for expenses that would otherwise be incurred (meals, normal travel, etc.). Relocates are required to submit receipts to Henderson County documenting the expenses for which they are requesting reimbursement.

Moving Expense Payment

A displaced individual or family covered under this Plan shall be eligible to receive a moving expense payment in accordance with the following section of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). Specifically referenced is the following section of the URA:

Actual Reasonable Moving and Related Expenses (49 CFR 24.301). Any displaced residential owner-occupant shall be reimbursed for:

- (1) Transportation of the displaced person and personal property. (This may include reimbursement at the current mileage rate for personally owned vehicles that need to be moved). Transportation costs for a distance beyond 50 miles are not eligible, unless Henderson County determines that relocation beyond 50 miles is justified.
- (2) Packing, crating, uncrating and packing of the personal property.
- (3) Storage of the personal property for a period not to exceed 12 months, unless Henderson County determines that a longer period is necessary.
- (4) Disconnecting, dismantling, removing, reassembling, and reinstalling relocated household appliances, and other personal property.
- (5) Utility hookups, including reinstallation of telephone and cable television service.
- (6) Insurance for the replacement value of the property in connection with the move and necessary storage.
- (7) The replacement value of property lost, stolen, or damaged in the process of moving (not through the fault or negligence of the displaced person, his or her agent, or employee) where insurance covering such loss, theft or damage is not reasonably available.
- (8) Credit checks.
- (9) Other moving-related expenses as Henderson County determines to be reasonable and necessary, except the following ineligible expenses:
 - (a) Interest on a loan to cover moving expenses; or
 - (b) Personal injury; or
 - (c) Any legal fee or other cost for preparing a claim for a relocation payment or for representing the claimant before Henderson County; or
 - (d) The cost of moving any structure or other real property improvement in which the displaced person reserved ownership or
 - (e) Costs for storage of personal property on real property owned or leased by the displaced person before the initiation of negotiations.

Replacement Housing Payment

A displaced individual or family covered under this Plan shall be eligible to receive replacement housing payments in accordance with the following sections of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). Specifically referenced are the following sections of the URA:

1. Section 24.401 - 180 Day Homeowners
2. Section 24.403 - Additional Rules
3. Section 24.404 - Replacement Housing of Last Resort

Complaint Procedure

Henderson County conforms to standard, ethical practices in the relocation of individuals and families and desires to see that all interests are protected. If there are any questions or complaints, Henderson County solicits the cooperation of all owners and requests an opportunity to discuss them in an effort to satisfy all parties concerned. Henderson County has adopted the following Complaint Procedure:

Citizens may make comments at any point in the program including planning, implementation and close-out. Henderson County will respond in writing to written citizen comments. Citizen comments should be mailed to CDBG Program Administrator, 101 East Allen Street, Hendersonville, NC 28792. Henderson County will respond to all written citizen comments within ten (10) calendar days of receipt of the comments.

ALL EFFORTS SHOULD BE EXHAUSTED TO RESOLVE THE COMPLAINT AT THIS LEVEL.

If the complaint cannot be resolved in this manner, a meeting with Henderson County Manager, to discuss the complaint should be requested. The request should be in writing and should briefly outline the complaint. A meeting date and time will be established within seven (7) calendar days of receipt of the request. Upon meeting and discussing the complaint, a reply will be made, in writing, within fifteen (15) calendar days.

If the citizen is dissatisfied with the local response, they may **write** to the North Carolina Department of Commerce, Division of Community Assistance (DCA), DCA will respond **only to written comments** within fifteen (15) days of the receipt of the comments.

EQUAL EMPLOYMENT AND PROCUREMENT PLAN

Henderson 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 occupational qualifications for employment.

In furtherance of this policy, the County prohibits any retaliatory actions 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 under utilized groups in the work force, 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 for periodic examination and evaluation. Periodic reports as requested on the progress of Equal Employment Opportunity and Affirmative Action will be presented to the Chief Elected Official.

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.

Adopted this 14th day of August, 2007.

William L. Moyer
Henderson County Board of Commissioners

Clerk to the Board/Deputy Clerk
{Seal}

**Local Economic Benefit for Low- and Very Low-Income Persons Plan
2007 CDBG Program**

To ensure that, to the greatest extent possible, contracts for work are 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, Henderson County has developed and hereby adopts the following Plan:

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.

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

When in need of a service, Henderson 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.

Henderson County will include this Section 3 clause in all contracts executed under this CDBG Program. Where deemed necessary, listings from any agency noted above shall be included, as well as sources of subcontractors and suppliers.

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 Henderson 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 our 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 in our local newspaper an advertisement, prominently located as a display advertisement, the pertinent information regarding the project including all Section 3 required information.

Adopted this 14th day of August, 2007.

William L. Moyer, Chairman
Henderson County Board of Commissioners

Clerk to the Board/Deputy Clerk
{Seal}

**RESOLUTION TO ADOPT
THE CITIZEN PARTICIPATION PLAN
RESIDENTIAL ANIT-DISPLACEMENT AND RELOCATION ASSISTANCE
PLAN
THE EQUAL EMPLOYMENT PROCUREMENT PLAN AND,
THE LOCAL ECONOMIC BENEFIT FOR LOW AND VERY LOW-INCOME
PERSONS PLAN (SECTION 3)**

WHEREAS, Henderson County has received funding through the State of North Carolina's Community Development Block Grant Program, and;

WHEREAS, Henderson County has agreed, by acceptance of the CDBG funds (CDBG No. 06-C-1600), to abide by the various regulations governing the administration of the Community Development Block Grant Program;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
COMMISSIONERS FOR HENDERSON COUNTY, NORTH CAROLINA THAT:**

Section 1. Henderson County hereby officially adopts the *Citizen Participation Plan* whereby citizens are provided with an adequate opportunity for meaningful involvement on a continuing basis and for participation in the planning, implementation and assessment of the CDBG program activities.

Section 2. Henderson County hereby officially adopts the *Residential Anti-Displacement and Relocation Plan* whereby replacement units and relocation assistance shall be provided to residents when occupied low/moderate income dwellings are demolished or replaced.

Section 3. Henderson County hereby officially adopts the *Equal Employment Procurement Policy*, to provide to the greatest extent possible, equal opportunities for minorities and disadvantaged populations in the employment and procurement of the grant.

Section 4. Henderson County hereby officially adopts the *Local Economic Benefit to Low and Very Low-Income Persons (Section 3) Plan* to ensure that contracts for work are awarded, to the greatest extent possible to local businesses.

Section 5. This resolution shall take effect immediately and be effective for the life of the grant (CDBG No06-C-1600).

Adopted this 14th day of August, 2007.

William L. Moyer, Chairman
Henderson County Board of Commissioners

Clerk to the Board/Deputy Clerk
{Seal}

Residential Anti-Displacement and
Relocation Assistance Certification

I hereby certify that Henderson County has adopted and is following a written Residential Anti-Displacement and Relocation Assistance Plan that conforms with the requirements of Section 104(d) of the Housing and Community Development Act of 1974, as amended.

William Moyer, Chairman
Name and Title of Certifying Official

Signature of Certifying Official

Date

**HENDERSON COUNTY
PROCUREMENT POLICY FOR
COMMUNITY DEVELOPMENT BLOCK GRANT 06-C-1600**

In the procurement of supplies, equipment or services in the Henderson County Community Development Block Grant Program the following policies shall apply:

1. Small purchase procedures. These are relatively simple and informal procurement methods that are sound and appropriate for a procurement of services, supplies, or other property, costing in the aggregate not more than \$25,000. Under this procurement method price or rate quotations shall be obtained from an adequate number of qualified sources. Office supplies and equipment may be secured by this method.
2. In competitive sealed bids (formal advertising) sealed bids shall be publicly solicited and a firm, fixed, price contract shall be awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is lowest in price.
3. In competitive negotiations proposals shall be requested from a number of sources and the Request for Proposals shall be publicized. All aspects of the competitive negotiations shall be carried out in conformance with 24 CFR Part 85. The general administrative contract, appraisal contract, surveying contract and all other required services related to the program implementation shall be awarded utilizing this method. Under this method special consideration shall be given to experience, technical abilities, and familiarity with the services to be provided. Price shall not be the sole consideration for award of contract.

On all procurement efforts shall be made to solicit bids from qualified small, female, and minority business firms.

In all cases procurement under this Policy must conform to the requirements for procurement set forth in 24 CFR Part 85.

An adequate record of procurement must be maintained to insure that these policies and the requirements of 24 CFR Part 85 have been followed in their entirety.

ADOPTED this 14th day of August 2007.

William L. Moyer, Chairman
Henderson County Board of Commissioners

Clerk to the Board/Deputy Clerk
{Seal}

**HENDERSON COUNTY
FAIR HOUSING COMPLAINT PROCEDURE**

Henderson County has Community Development Block Grant (CDBG) projects currently in progress. The CDBG program requires that a Fair Housing plan and complaint procedure be adopted by the County.

Housing discrimination is prohibited by Title VIII of the Civil Rights Act of 1968 and by the North Carolina State Fair Housing Act. In an effort to promote fair housing and to ensure that the rights of housing discrimination victims are protected, Henderson County has adopted the following procedures for receiving and resolving 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 Henderson County Manager of the facts and circumstances of the alleged discriminatory act or practice;
2. Upon receiving a housing discrimination complaint, the Henderson County Manager shall inform the North Carolina Human Relations Commission (Commission) about the complaint. The Henderson County Manager shall then assist the Commission and the complainant in filing an official written housing complaint with the Commission, pursuant to the State Fair Housing Act and Title VIII;
3. The Henderson County Manager shall offer assistance to the Commission in the investigation and conciliation of all housing discrimination complaints, which are based upon events occurring in Henderson County.
4. The Henderson County Manager shall publicize within Henderson County area that the Henderson County Manager is the local official to contact with housing discrimination complaints based upon events occurring in Henderson County;
5. All complaints shall be acknowledged within ten (10) days of receipt.

If you have any questions about the complaint procedure or would like to register a complaint, please contact The Henderson County Manager at (828) 697-4809 or for TDD assistance (800) 697-4580.

ADOPTED, this 14th day of August, 2007.

By: _____
Board Chairman, Henderson County

ATTEST:

Clerk to the Board

SEAL

Performance Based Contract: Implementation Schedule

First Quarter begins on the date of DCA Director's signature on the Grant Agreement and Funding Approval. List goals to be accomplished each Quarter.

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	5th Quarter	6th Quarter	7th Quarter	8th Quarter	9th Quarter	10th Quarter
	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description
1. Administrative Activities Grant Agreement and Funding Approval	50%	100%								
b. Environmental Condition										
c. Citizen Participation Condition	100%	50%	100%							
d. Flood Plain Compliance Condition										
e. Other Conditions										
1.										
2.	10%	20%	30%	40%	50%	60%	70%	80%	90%	100%
Administration										

First Quarter begins on the date of DCA Director's signature on the Grant Agreement and Funding Approval.
 List goals to be accomplished each Quarter. Activities should correspond to those on the Budget and Benefit: Low and Moderate income forms in the application approved for funding.

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	5th Quarter	6th Quarter	7th Quarter	8th Quarter	9th Quarter	10th Quarter
	% Units	% Units	% Units	% Units	% Units	% Units	% Units	% Units	% Units	% Units
2. Housing Activities										
a. Relocation	N/A									
b. Acquisition	N/A									
c. Disposition	N/A									
d. Clearance	N/A									
e. Rehabilitation of Privately Owned Dwellings (Includes any on-site Installations: e.g., septic tanks, wells)										
10 Housing Units										
f. Units Constructed										
g. Units Occupied										

First Quarter begins on the date of DCA Director's signature on the Grant Agreement and Funding Approval.

List goals to be accomplished each Quarter. Activities should correspond to those on the Budget and Benefit. Low and Moderate income forms in the application approved for funding.

	1st Quarter Completed	2nd Quarter Completed	3rd Quarter Completed	4th Quarter Completed	5th Quarter Completed	6th Quarter Completed	7th Quarter Completed	8th Quarter Completed	9th Quarter Completed	10th Quarter Completed
3. Water Improvements Engineering Bidding Process Contract Awarding Construction/Installation Work Completed	N/A	25%	100% 50%	100% 50%	100% 10%		30%	60%	80%	100%
4. Sewer Improvements Engineering Bidding Process Contract Awarding Work Construction Work Completed	N/A									
5. Street Improvements Engineering Bidding Process Contract Awarding Construction/Installation Work Completed	N/A	25%	100% 50%	100% 50%	100% 10%		30%	60%	80%	100%
6. Drainage Improvements Engineering Bidding Process Contract Awarding Construction/Installation Work Completed	N/A									
6A. Other Activities Work Completed	N/A									

	1st Quarter % Process Completed Description	2nd Quarter % Process Completed Description	3rd Quarter % Process Completed Description	4th Quarter % Process Completed Description	5th Quarter % Process Completed Description	6th Quarter % Process Completed Description	7th Quarter % Process Completed Description	8th Quarter % Process Completed Description	9th Quarter % Process Completed Description	10th Quarter % Process Completed Description
6B. Other Activities Planning	50%	100%								
6C. Other Activities	N/A									
6D. Other Activities	N/A									
6E. Other Activities	N/A									
6F. Other Activities	N/A									

8. Signature of Authorized Local Official

William L. Moyer
Name

Signature

Chairman, Henderson Co. Board of Commissioners
Title

Date

9. Signature of Authorized DCA Official

Gloria Nance-Sims
Name

Director, Division of Community Assistance
Title

Date

HENDERSON COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

RESOLUTION TO UPDATE THE HENDERSON COUNTY ANALYSIS OF
IMPEDIMENTS TO FAIR HOUSING FOR COMMUNITY DEVELOPMENT BLOCK
GRANT PROGRAMS

Be it Resolved by The Henderson County Board of Commissioners, Henderson County,
North Carolina That:

WHEREAS, Henderson County is participating in the Community Development Block
Grant Program under the Housing and Community Development Act of 1974, as
amended, administered by the North Carolina Department of Commerce; and

WHEREAS, Henderson County has been allocated funds under Title I of the Housing
and Community Development Act of 1974; and

WHEREAS, Henderson County wishes to affirmatively further fair housing
opportunities for its citizens; and

WHEREAS, Henderson County wishes to adopt the Analysis of Impediments to Fair
Housing Report for the term of the CDBG Housing Development Program Grant # 06-C-
1600; now

THEREFORE, BE IT RESOLVED that the Henderson County Board of Commissioners,
Henderson County, North Carolina hereby adopt the attached Analysis of Impediments
to Fair Housing Report.

Adopted and approved this the 14th day of August, 2007.

William Moyer, Chairman

Clerk to the Board