

River Bend Town Council
Work Session Minutes
March 12, 2020
River Bend Town Hall
5:00 P.M.

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Bud Van Slyke
Town Manager:	Delane Jackson
Town Clerk:	Ann Katsuyoshi
Town Attorney:	Dave Baxter
Finance Administrator:	Margaret Theis

ACTION: 2019 CDBG-NR PROGRAM

- a. Grant Project Ordinance
- b. Code of Conduct
- c. Grievance Procedure
- e. Signature Resolution
- f. Equal Employment and Procurement Policy
- g. Section 3 Plan
- h. Citizen Participation Plan
- i. Program Policies
- j. Limited English Proficiency Plan
- k. Fair Housing Plan
- l. Residential Anti-displacement and Relocation Assistance Plan

Town Manager Delane Jackson said that all of these policies, resolutions and plans are required in order for us to proceed with the project. The consultant was present to answer any questions the Council may have. With no questions being raised, Councilman Van Slyke **moved to approve the Grant Project Ordinance, the Code of Conduct, the Grievance Procedure, the Excessive Force Policy, the Signatory Resolution, the Equal Employment and Procurement Policy, the Section 3 Plan, the Citizen Participation Plan, the Program Policies, the Limited English Proficiency Plan, the Fair Housing Plan, the Residential Anti-displacement & Relocation Assistance Plan and the Optional Coverage Relocation Plan as presented.** The motion carried unanimously.

The Grant Project Ordinance reads as follows:

GRANT PROJECT ORDINANCE
2019 CDBG-NR PROGRAM
TOWN OF RIVER BEND

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

Section 1. The project authorized is the Community Development project described in the work statement contained in the grant agreement #18-C-3065 between this unit and the Department of Commerce. This project is more familiarly known as the River Bend 2019 Community Development Project.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents, the rules and regulations of the Department of Commerce and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project:

Community Development Grant	\$750,000.00
TOTAL	\$750,000.00

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

C-1 Clearance	\$30,000.00
C-1 Temporary Relocation	\$15,000.00
C-1 Rehabilitation	\$210,000.00
C-1 Reconstruction	\$420,000.00
C-1 Administration	<u>\$75,000.00</u>
TOTAL	\$750,000.00

Section 5. The finance officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement 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 grantor agency in an orderly and timely manner.

Section 7. The finance officer is directed to report annually on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The budget 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 Council.

Section 9. Copies of this grant project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 12th day of March, 2020.

John Kirkland, Mayor
Name, Title

The Code of Conduct reads as follows:

CODE OF CONDUCT

**2019 CDBG NR PROGRAM
TOWN OF RIVER BEND**

- A. This Code shall govern the performance of officers, employees, and agents engaged in the award and administration of contracts supported by Federal funds.
- B. No employee, officer or agent of Town shall participate in 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:
 - 1. The employee, officer or agent;
 - 2. Any member of his immediate family;
 - 3. His or her partner; or
 - 4. Any organization which employs or is about to employ any of the above,has a financial or other interest in the firm selected for award.
- C. Town officers, employees or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub-agreements.
- D. Town at its discretion may make determinations of minimum rules where financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.
- E. All violations of these standards deemed by the Council to be in excess of minimum levels determined in No. 4, will result in penalties, sanctions or disciplinary action as required by State and Local laws and regulations or as deemed appropriate by the Town Board of Councilmen.

Adopted this 12th day of March, 2020.

John Kirkland, Mayor
Name, Title

The Grievance Procedure reads as follows:

**TOWN OF RIVER BEND
45 Shoreline Drive
River Bend, NC 28562**

**SECTION 504 COMPLIANCE OFFICER/GRIEVANCE PROCEDURE
COMMUNITY DEVELOPMENT BLOCK GRANT**

The Governing Body of the Town of River Bend, hereby designates the Town Manager to serve as Section 504 Compliance Officer throughout the implementation of the Town of River Bend Community Development Block Grant Program.

Citizens with Section 504 grievance may do so at any point in the program. The Locality will respond in writing to written citizen grievances. Citizen grievances should be mailed to: Town Manager, 45 Shoreline Drive, River Bend, NC 28562, 252-638-3870. The Town of River Bend will respond to all written citizen grievances within ten (10) 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 comment 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 Delane Jackson at 252-638-3870 ext. 213 or at 45 Shoreline Drive, River Bend, NC 28562 for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con Delane Jackson al 252-638-3870 ext. 213 o en 45 Shoreline Drive, River Bend, NC 28562 de alojamiento para esta solicitud.



Adopted this 12th day of March, 2020.

John Kirkland, Mayor

ATTEST: _____
Ann Katsuyoshi, Clerk

The Excessive Force Policy reads as follows:

Excessive Force Policy

TOWN OF RIVER BEND

3 Year Plan

The Town of River Bend, 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 Town, 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 Town 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 Town of River Bend.

Adopted this 12th day of March, 2020.

John Kirkland, Mayor

ATTEST:

Ann Katsuyoshi, Clerk

The Signatory Resolution reads as follows:

SIGNATORY FORM AND CERTIFICATION

Grant No.

18-C-3065

Recipient Name: Town of River Bend

Address: 45 Shoreline Drive

River Bend, NC 28562

Signatures of individuals authorized to sign Requisition for Funds forms.

(Signature)

John Kirkland, Mayor

(Typed Name) (Typed Title)

(Signature)

Delane Jackson, Town Manager
(Typed Name) (Typed Title)

(Signature)

Margaret Theis Finance Administrator
(Typed Name) (Typed Title)

(Signature)

Mandy Gilbert Finance Assistant
(Typed Name) (Typed Title)

CERTIFICATION

() I certify that the signatures above are of the individuals authorized to sign Requisition for Funds form for the above recipient.

Certifying Official: _____
Title: _____

(X) The governing board has passed a resolution authorizing the persons above to sign Requisition for Funds form for the above recipient. A copy of the resolution is attached. I certify that the signatures above are those of the individuals authorized by resolution of the governing board of the recipient to sign Requisition for Funds forms.

Certifying Official:

Title: _____

SIGNATORY FORM AND CERTIFICATION

1. Indicate name and address of the recipient.
2. **Two** authorized signature shall be required on all Reimbursement Request for Funds forms. The Division of Water Infrastructure will check the signature on each requisition form to see that it does match the authorized signature on the Signatory Form and Certification. Only the signatures of persons shown on the Signatory Forms and Certification will be accepted.
3. To allow for flexibility in making requisition requests, it is recommended that four authorized signatures appear on the Signatory Form and Certification. Local governments may choose one of two options in completing the Certification. If the local government chooses to use the first option, the chief elected official or the chief finance officer must sign the form as the certifying official. In signing as the certifying official, the chief elected official or chief finance officer certifies that: 1) the signatures are authentic and 2) that the persons designated as signatories are authorized to sign requisitions for payment. If the chief elected official or the chief finance officer is the certifying official, that person may not also be an authorized signature. If the community wishes to have both the chief elected official and the chief finance officer sign requisitions for payment, the community should select the second option for certification. In this case, the governing board must pass a resolution authorizing sufficient persons to act as signatories. In addition, an individual who is not designated as a signatory must certify the authenticity of the authorized signatures. Anyone who knows all of the persons authorized to sign requisitions may sign as the certifying official. Another local government staff person or member of the governing body is recommended.
4. If the recipient wishes to change the persons authorized to sign the requisition for funds form a new Signatory Form and Certification must be submitted to the Division of Water Infrastructure.
5. No erasures or corrections may appear on the Signatory Form and Certification.

6. Copy of **detail** invoices as a supporting document must be submitted for all **CDBG eligible** work done and purchases made to corroborate the amount requested.

The Equal Employment and Procurement Policy reads as follows:

Town of River Bend
(City/County/Town)

18-C-3065
(Grant number)

Equal Employment and Procurement Plan

The *Town* of River Bend 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 *Town* 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 *Town* 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 *Town Manager* to assist in the implementation of this policy statement.

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

Adopted this 12 day of March 2020.

John Kirkland, Mayor

ATTEST:

Ann Katsuyoshi, Clerk
The Section 3 Plan reads as follows:

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

TOWN OF RIVER BEND

3-YEAR PLAN

I. APPLICATION AND COVERAGE OF POLICY

NC Commerce and any of its sub-recipients are 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 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, **NC Commerce and any of its sub-recipients** of the Town of River Bend has developed and hereby adopts the following Plan:

NC Commerce and any of its sub-recipients will comply with all applicable provisions of Section 3 of the Housing and Urban Development Act of 1968, as amended (24 CRF 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 **NC Commerce and any of its sub-recipients** and portions of the immediately adjacent area.

NC Commerce and any of its sub-recipients will be responsible for implementation and administration of the Section 3 plan. In order to implement the **NC Commerce and any of its sub-recipient's** policy of encouraging local residents and businesses participation in undertaking community development activities, the **NC Commerce and any of its sub-recipients** 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, **NC Commerce and any of its sub-recipients** will identify suppliers, contractors or subcontractors located in the Section 3 area. Resources for this identification shall include the Minority Business Directory published through the State Department of Commerce, local directories and Small Business Administration local offices. Word of mouth recommendation shall also be used as a source.

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

The prime contractor selected for major public works facility or public construction work will be required to submit a Section 3 Plan which will outline his/her work needs in connection with the project. Should a need exist to hire any additional personnel, the Craven 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 the pertinent information regarding the project including all Section 3 required information. Community Investment and Assistance (CI) 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

NC Commerce and any of its sub-recipients will take the following steps to assure that low income residents and businesses within the community development project area and within the **Town** are used whenever possible: (Describe below)

The Town will keep a record of interested residents and businesses within the community development project area and within the town to use upon the need for solicitation of need for services. The Town will advertise the local distributed newspaper encouraging all low income persons and Section 3 businesses to participate in activities related to the project.

(Example: 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; divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by residents and businesses; establish delivery schedule, where the requirements permits, which encourages participation by area for residents and businesses)

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

NC Commerce and any of its sub-recipients will place a display advertisement in the local newspaper containing the following information:

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

assistance through various state and local agencies, or which the **Town** 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 Town Hall
- iii. Town Council 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):

NC Commerce and any of its sub-recipients 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

NC Commerce and any of its sub-recipients 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

NC Commerce and any of its sub-recipients 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 State CDBG, 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.

NC Commerce and any of its sub-recipients shall report annually the Section 3 numbers using the form HUD 60002 to State CDBG at the end of the calendar year as part of the Annual Performance Report (APR).

IV. MONITORING COMPLIANCE

NC Commerce and any of its sub-recipients 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. COMPLAINTS CONTACT

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

Mr. Delane Jackson
45 Shoreline Drive
River Bend, NC 28562
252-638-3870 ext 213
manager@riverbend.org

Adopted this 12th day of March, 2020.

John Kirkland, Mayor

ATTEST: _____
Ann Katsuyoshi, Clerk

The Citizen Participation Plan reads as follow

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

Grantee: _____ Town of River Bend

Recipient's Address: _____ 45 Shoreline Dr., River Bend, NC 28562

Contact Person: _____ Delane Jackson

Contact Email: _____ manager@riverbendnc.org

Contact Phone: _____ 252-638-3870 ext. 213

TDD#: _____ 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

The Town 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 Town'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 Town'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 Town.

2. SCOPE OF PARTICIPATION

The Town 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 Town. 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 Town 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

Delane Jackson has been designated Citizen Participation Coordinator by the Mayor 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 Town Hall at 252-638-3870 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 staff of the Town 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 Mayor of the Town 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 on-going.

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 Town. Public hearings may be held at any site which, in the opinion of the Town, provides adequate access for citizen participation.

Hearings will normally be held at the River Bend Town Hall. 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 Town, 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 Town 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 Town 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 Town 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 Town 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 Town.

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 Town 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 Town. 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 Town 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 Town meetings where such changes or amendments are considered.

5.4 **Assessment of Performance** Public Hearings

Citizens of the Town will be provided with the opportunity to comment on the performance of local officials, the Town 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 Town in resolving identified community development and housing needs, and in achieving its community development goals and objectives. On-going 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 Town 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 Town has followed the guidance provided in the Language Access Plan to determine the need to undertake reasonable actions to facilitate the participation of persons with Limited English Proficiency. Local officials will undertake all reasonable actions necessary to allow such persons to participate in the community development process. Such actions may include the provision of an interpreter and/or the provision of materials in the appropriate language or format for persons with Limited English Proficiency.

5.7 Public Hearing Notice

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

5.8 Accessibility to Low and Moderate Income Persons

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

5.9 Accessibility to Persons with Disabilities

The locations of all public hearings as described herein shall be made accessible to persons with disabilities. The Town 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 Town 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 Town 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 Town 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 Town Hall. 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 council 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 Town; and, copies of the applicable Federal and State rules, regulations, policies, requirements and procedures governing the CDBG program.

In no case shall the Town disclose any information concerning the financial status of any program participant(s) which may be required to document program eligibility or benefit. Furthermore, the Town shall not disclose any information which may, in the opinion of the Mayor, 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 Town.

Any citizen or citizen's 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 Mayor. Should, after a reasonable period, a party believe that his/her comment or complaint has not been properly addressed or considered by the Mayor, then the aggrieved may appeal his/her case to the Town.

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 Town 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 Town'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 Town's CDBG program and subsequent action taken in response to those comments shall be maintained on file at Town and shall be made available for public inspection upon request.

8. AMENDMENTS

The Town may, from time to time, modify the provisions outlined herein through amendment to this Citizen Participation Plan. It shall be the policy of the Town 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 Town. 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 Town 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 Town in the development, implementation and execution of any Community Development Block Grant program.

ADOPTED this 12th day of March, 2020.

John Kirkland, Mayor

ATTEST:

Ann Katsuyoshi, Clerk

The Program Policies read as follows:

**PROGRAM POLICIES
2019 CDBG PROGRAM**

TOWN OF RIVER BEND
March 12, 2020

ADOPTED BY THE TOWN COUNCIL OF RIVER BEND:

John Kirkland, Mayor

March 12, 2020
Date

PROGRAM POLICIES

The policies contained in this document will serve as administrative guidelines for the River Bend 2019 Community Development Block Grant Program. In the case of unforeseen hardship or inconvenience, these standards may be varied with the written permission of the Mayor. However, any variations made will not result in actions contrary to the River Bend 2019 CDBG Application and DOC Regulations.

I. **PROJECT AREA COMMITTEE**

The CD Project Area Committee (PAC) will be composed of three members (2 council members, and the Town Manager). These members will be appointed by the Town Council of River Bend, and any vacancy shall be immediately filled by the Town Council. The PAC shall at a minimum hold quarterly meetings and make diligent efforts to provide a liaison between the area citizens and the program administration. Responsibilities of the PAC will include:

- A. Review and comment on the program guidelines.

- B. Provide coordination and contact between the project area residents and the administrative personnel.
- C. Conduct quarterly meetings to review the progress of the program.
- D. Recommend program revisions to the administrative personnel as the project develops.
- E. Review recommended action to be taken on grievances.
- F. Conduct a public hearing prior to the close-out of the programs to obtain comment on the success of the project.
- G. Review and make recommendations on all community development programs and/or budget amendments.

II. **HOUSING REHABILITATION**

A. General

- 1. All homeowners and landlords are responsible for the correction of housing code violations of their housing facilities in the 2019 CDBG Target Area. The Program Administrator in conjunction with the local Code Enforcement Officer will inspect each dwelling unit to determine what must be done to bring affected structures up to a minimum standard. Owners will be notified of all deficiencies.
- 2. Financial and counseling assistance will be provided by the 2019 CDBG program through grants and loans to homeowners and landlords for the correction of housing code deficiencies. Receipt of CDBG financial assistance will not be mandatory. The homeowner or landlord may correct all housing deficiencies through means other than the CDBG Program.
- 3. CDBG rehabilitation assistance will be provided for the correction of housing code deficiencies only.
- 4. Homeowners and landlords may, at their discretion, receive CDBG rehabilitation assistance for materials only and provide labor through other sources.
- 5. The Town will act as the property owner's agent with respect to CDBG housing rehabilitation activities. Upon completion of rehabilitation activities, the property owner will be notified that code violations in the structure have been corrected.

B. Program Application Budget Amounts and Limits

- 1. Per unit amounts budgeted within the 2019 CDBG Application for various sets of proposed activities are as follows:
 - a. Frame Built Reconstruction \$ 130,000.00
 - b. Frame Built Rehabilitation \$ 60,000.00
 - c. Mobile Homes \$ N/A

2. The maximum allowable financial participation amount is the lesser of \$42.00 per square foot or \$44,000.00 per unit. The Town anticipates rehabilitation costs between major and minor units will average out to the respective amounts budgeted. The Town recognizes that some additional deficiencies may exist or be uncovered during the rehabilitation work. In order to correct these deficiencies, the bid amount may be amended by up to 15% by the Program Administrator.

3. Any expenditure over the bid amount plus 15% may be initially authorized by the Mayor for two reasons: One, to remove imminent threats to health and safety, and two, if the market value of the unit after rehabilitation work is completed will be more than the contract amount.

4. Any unit with a proposed rehabilitation cost exceeding the maximum allowable amount will be reviewed by the Town Mayor and C.D. Administrator. These units will be either referred for demolition or held until the end of housing activities to see if sufficient funds are available for rehabilitation. If sufficient funds are available, the Town Mayor and C.D. Administrator will review whether to proceed with a request for substantial reconstruction or relocation.

C. Rehabilitation Priorities and Contract Procedures

1. In general, the priority for selecting housing for assistance shall follow the following priorities:
 - a. Owner occupied grant financing
 - b. Tenant occupied grant financing
 - c. Owner occupied loan financing – N/A
 - d. Tenant occupied loan financing – N/A
 - e. Vacant units – N/A

Within each of the above categories, the elderly, handicapped or most underprivileged shall receive priority. However, the C.D. Administrator may deviate from these priorities if it is in the best interest of the Program.

2. All procurement and contract procedures will be completed in accordance with 2 CFR 200. An advertisement for bids will be sent to rehabilitation contractors and write-ups made available. Sealed bids will be received and read aloud. The C.D. Administrator will review the bids and recommend award. The Town Mayor may award the bids and execute grant and loan contracts or applicable Deeds of Trust. Upon approval of the Town Mayor, the C.D. Administrator will issue the Notice to Proceed. The C.D. Administrator may approve and execute all contract change orders as necessary within the limits set forth in Section I.B.2. Above.
3. The Town of River Bend will have no responsibility for the execution of private agreements nor will it allow any such agreements to hinder or interfere with contracted rehabilitation activities.

D. Coordination with Property Owners

At a minimum, the following items will be reviewed with property owners except in the case of unforeseen circumstances:

1. All housing code deficiencies.
2. The proposed financing arrangement, grant or loan.
3. Decisions on rehabilitation, delay or demolition of the unit.
4. Procedures concerning bidding, contracts and construction.
5. Contract completion and closeout.
6. If the property owner disagrees with any of the information and decisions presented, appeal of the decision can be processed through the complaint procedure.

E. Income Requirements

Income guidelines for determining grant and loan financing are those provided by HUD as meeting low-moderate income limits. These figures are revised yearly, and the most current figures will apply. Income will be based on total household income of all people over 18 years of age. The eighteen-year-old exclusion does not apply for determining beneficiaries.

F. Grant/Loan Program

The type of assistance which will be made available for the correction of code deficiencies depends on the factors listed below:

1. Owner Occupied or Rental
2. Household Income - Owner
3. Household Income - Tenant
4. Household Income - Landlord
5. Amount of Monthly Rent

The specific design of the Loan Program can be found as an attachment at the end of these policies. See ATTACHMENT I.

G. Rent Freeze and Recapture Provisions

Whenever CDBG funds are used to rehabilitate a structure, rent freeze and recapture provisions shall apply. These provisions can also be found as an attachment at the end of these policies. See ATTACHMENT I. All recapture provisions shall be secured by a promissory note and deed of trust held on the property. Therefore, each property must have a clear title sufficient for execution of the deed of trust. It shall be the responsibility of the owner to insure the clear title.

H. Housing Code

1. All rehabable houses in the 2019 CDBG area must be brought up to minimum housing code during this program. Reproduced and found at the end of these policies is the N.C. Small Cities CDBG Housing Rehabilitation Standards which is the minimum accepted by N.C. DOC.
2. When conducting the rehabilitation investigation and construction, the

following priorities will apply:

- a. Provisions of a safe, sanitary water supply and adequate sewage disposal to include provisions of indoor plumbing and hot water service.
- b. Elimination of major structural defects which are creating hazardous conditions due to unsafe electrical systems, etc.
- c. Weatherization of the unit.
- d. Control of insects, rodents and infestations.
- e. Elimination of minor structural defects.
- f. Landscaping to eliminate health hazards.

I. Substantial Rehabilitation

For the purposes of the CDBG program, substantial rehabilitation is defined as the lesser of the two following standards: total CDBG rehabilitation costs for the unit exceed \$44,000.00; or total CDBG rehabilitation costs exceed \$42 per square foot of heated, occupiable space. DOC approval must be obtained where substantial reconstruction is proposed as part of a neighborhood rehabilitation effort. In order to receive DOC approval, justification for substantial rehabilitation must be based on the following two circumstances:

- (1) The estimated cost of reconstruction is at least 20 percent less than the estimated cost of purchasing comparable newly constructed housing (including land) in the locality's jurisdiction; and
- (2) The estimated cost of the reconstruction (excluding demolition, site preparation and temporary relocation) is less than the fair market value of the reconstructed housing and land.

III. **FORMS AND AGREEMENTS**

In applying the previously discussed rehabilitation activities, incomes must be verified, construction work let, agreements executed and construction completed. Provided in the Master Rehab Casefile are the forms to be used for these activities. The Future Deed of Trust forms and Loan Agreements are not included because these forms will be approved by the Program Attorney prior to use.

IV. **ACQUISITION**

- A. Acquisition of land is necessary in the following situations under the CDBG program:
 1. Acquisition of lots to remove dilapidated structures: Code Enforcement.
 2. Acquisition of Right-of-Way necessary for parks, streets, drainage or other public facilities improvements: Eminent Domain.
 3. Acquisition of a permanent easement for items in No. IV.A.2.
- B. General guidelines which will apply to code enforcement acquisition (structures) are listed below. These guidelines may be varied by the Board of River Bend due to the broad nature of acquisition activities.
 1. A structure must be acquired and demolished when it is determined to be economically "beyond repair".

2. A structure must be acquired and demolished if it is an imminent threat to health and safety.
 3. A structure must be acquired and demolished if the proposed rehabilitation cost is clearly more than the after rehabilitation market value. To salvage an existing structure, property owners may contribute directly to the rehabilitation cost in order for the structure to be eligible for rehabilitation assistance.
- C. When it has been determined by the Program Administration that a structure must be acquired and demolished, one of the following two methods may be used:
1. The property owner may execute a voluntary demolition agreement and temporary demolition easement. With this agreement, the CDBG Program will demolish the structure, clear all debris, and reseed the lot. The property owner will retain ownership of the lot.
 2. If the property owner does not wish to execute a voluntary demolition agreement, the acquisition procedure listed in IV.D. below will be followed to purchase the structure and the parcel of land. The CDBG Program will demolish the structure and resell the property in accordance with municipal disposition procedures.
 3. When acquired property is offered for sale, it must be advertised and offered for sale to low-and-moderate income individuals and construction of a residential unit must start within 12 months. If there is no interest from LMI persons, the property must be re-advertised with only the 12-month restriction remaining.
- D. The steps necessary for acquisition of any property in the CDBG Program are as follows:
1. Title certification.
 2. Land survey.
 3. Appraisal of the property if expected value is over \$2,500.00 - property owner must be invited to accompany the appraiser.
 4. Second Appraisal of the property if it is a complex appraisal - property owners must be invited to accompany the appraiser.
 5. Appraisal Review by the Town Mayor, C.D. Administrator and Town Board.
 6. Establishment of Just Compensation by the Board.
 7. Written offer to purchase to the property owner.
 8. Negotiation with the property owner.
 9. Upon agreement, the property is purchased.
 10. If agreement cannot be reached, the matter is referred to the attorney for condemnation through code enforcement.

V. **RELOCATION**

Whenever a dilapidated structure is occupied, these people must be relocated to "standard housing" which is safe, sanitary, and decent. Relocation shall be in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (PL 91-646). During the program execution, the Board of River Bend may adopt an "Optional Coverage Relocation Plan" if circumstances deem treatment through other than Uniform

Act procedures will be appropriate. All efforts will be made during the 2019 CDBG program to minimize displacement.

VI. **COMPLAINT PROCEDURE**

Whenever conflict arises during the program, target area residents will have the following procedure for dealing with complaints. All complaints must be made in writing and will be responded to within 10 working days from the date of receipt.

- A. Submit complaint to the Program Administrator at the Town Hall, and the Program Administrator will issue a written response to the complaint.
- B. If resolution is not obtained, the complaint will be forwarded to the Town Manger by the complainant. A meeting with the complainant, Program Administrator and Town Manager will be held, and the Town Manager shall issue a written response to the complainant.
- C. If resolution is not obtained, the PAC shall conduct a hearing with the complainant, Program Administrator and the Town Manager to hear all sides of the complaint. The PAC shall issue a written opinion to the complainant and to the Board of River Bend.
- D. If resolution is still not obtained through the PAC, the Board of River Bend shall review the complainant's statement, previous written statements by the Program Administrator and the Town Manager, and the written opinion of the PAC. The Board shall make a decision which will be final.
- E. The Board's decision will be given to the complainant along with the name and address of DOC and project representative for the 2019 CDBG program.

VII. **CODE OF CONDUCT**

- A. This Code shall govern the performance of officers, employees, and agents engaged in the award and administration of contracts supported by Federal funds.
- B. No employee, officer or agent of the Town shall participate in 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:
 - 1. The employee, officer or agent;
 - 2. Any member of his immediate family;
 - 3. His or her partner; or
 - 4. Any organization which employs or is about to employ any of the above, has a financial or other interest in the firm selected for award.
- C. Town officers, employees or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub-agreements.

- D. The Town, at its discretion may make determinations of minimum rules where financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.
- E. All violations of these standards deemed by the Board to be in excess of minimum levels determined in Item VII. D. will result in penalties, sanctions or disciplinary action as required by State and Local laws and regulations or as deemed appropriate by the Town Board Councilmen.

VIII. **CITIZEN PARTICIPATION**

- A. Citizen participation shall be consistent with all requirements of the CDBG Regulations. All said regulations shall be strictly adhered to. This citizen participation plan shall include the following actions by the CDBG recipient:
 - 1. Solicit and respond to citizen views and proposals. Respond to written comments within 10 calendar days.
 - 2. Provide technical assistance to groups so requesting to facilitate participation and proposals.
 - 3. Provide notices of public hearings in a timely manner. Notice to be given 10-25 days before public hearings.
 - 4. Schedule public hearings to permit broad citizen participation.
 - 5. Hold the following public hearings at a minimum:
 - a. Prior to formulation of CDBG Application
 - b. After Application formulation but prior to submission
 - c. Prior to submission of every program amendment
 - d. Prior to submission of closeout documents
 - 6. Provide for needs of non-English speaking citizens where a significant number of non-English speaking participants are anticipated.

Any other requirements of T15:13L.1002 shall be herein incorporated by reference.

IX. **PROCUREMENT POLICY**

- A. All procurement shall be conducted in accordance with 2 CFR 200.

The Limited English Proficiency Plan reads as follows:

Providing Meaningful Communication with Persons with Limited English Proficiency
Town of River Bend
5-Year Plan

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

POLICY:

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

DEFINITIONS:

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

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

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

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

PROCEDURES:

1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE

The Town of River Bend will promptly identify the language and communication needs of the LEP person. Staff will use a language identification card (or “I speak cards,” provided by the Rural Economic Development Division (REDD) 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 INTERPRETER

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

Delane Jackson
Town of River Bend
45 Shoreline Drive
River Bend, NC 28562
252-638-3870 ext. 213
manager@riverbendnc.org

(Note: The agency must notify the REDD Compliance Office immediately of changes in name or contact information for the Title VI compliance officer.)

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.

(Identify the agency(s) name(s) with whom you have contracted or made arrangements)

Craven County Department of Social Services

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

252-636-4900

Monday – Friday 8:00 – 5:00

Other (**describe**):

Telelanguage

800-514-9237

888-884-7734

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

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

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

3. PROVIDING WRITTEN TRANSLATIONS

- i. The Town of River Bend will set benchmarks for translation of vital documents into additional languages. (**please ensure to keep records of those documents that apply to your agency**)
- ii. When translation of vital documents is needed, the Town of River Bend 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.
- iv.

4. PROVIDING NOTICE TO LEP PERSONS

The Town of River Bend will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. Example: The notification will include, in the primary language of the applicant/recipient, the following language:

IMPORTANT: IF YOU NEED HELP IN READING THIS, ASK THE AGENCY FOR AN INTERPRETER TO HELP. AN INTERPRETER IS AVAILABLE FREE OF CHARGE.

All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served, and individuals and their families will be informed of the availability of such assistance free of charge.

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

Town Hall Lobby

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.

The Town will provide LED outreach through advertisements.

5. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION

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

I. Compliance Procedures, Reporting and Monitoring

A. Reporting

The agency will complete an annual compliance report and send this report to REDD. (Format will be supplied by REDD)

B. Monitoring

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

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

II. Applicant/Recipient Complaints of Discriminatory Treatment

A. Complaints

The agency will provide assistance to LEP individuals who do not speak or write in English if they indicate that they would like to file a complaint. A complaint will be filed in writing, contain the name and address of the person filing it or his/her designee and briefly describe the alleged violation of this policy.

The form can be found at <https://www.nccommerce.com/documents/cdbg-compliance-plans>.

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

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

B. Resolution of Matter

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

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

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

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

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

If not resolved by REDD, then complaint will be forwarded to Department of Justice (DOJ), Department of Housing and Urban Development (HUD) Field Office.

SUBMITTED AND ADOPTED BY: THE GOVERNING BOARD OF RIVER BEND

John Kirkland, Mayor
Name of Mayor or Chairman of Board

Signature of Mayor or Chairman of Board

March 12, 2020
Date

The Fair Housing Plan reads as follows:

Requirements for Completing the Fair Housing Plan

I. Indicate whether this is the first Fair Housing Plan submitted by the recipient or if one has been previously submitted.

II. List the **major** obstacles and impediments to affirmatively furthering fair housing in the recipient's community, e.g. lack of knowledge among citizens of fair housing laws, lack of affordable housing stock, etc. These will be specific to the recipient community.

III. Indicate whether the activities apply to part or all of the recipient's community. If some of the activities apply to only part, include an explanation.

IV. List the activities the recipient will undertake to affirmatively further fair housing in the recipient's community. *The activities should address the obstacles identified in Section II.* Activities should be planned for the life of the grant beginning with the quarter in which the grant agreement was signed and should be listed by quarter with at least one activity per quarter. (For *example*, Quarter 1, Jan–Mar 2009: Distribute fair housing brochures to public library and local banks). The first activity **must** be establishing and/or publishing the grantee's fair housing complaint procedure and TDD number in the local newspaper. In addition, the grantee **must** have at least one activity for community outreach for fair housing in the form of a workshop or designated fair housing fair within an identified quarter. Many recipients have chosen to do this particular activity in the quarter containing April to celebrate National Fair Housing Month.

V. Describe recipient's method of receiving and resolving housing discrimination complaints. The *four key elements* to include in complaint procedures are given in the example below. The recipient may add additional information as appropriate.

Note: Municipalities may elect to adopt the fair housing plan and activities in the county Analysis to Impediments to Fair Housing Choice, of the county in which they are located, but CI needs this in writing, signed and dated by the local chief elected officer *with* the local complaint procedure. The local activities **must** also adopt the county's Analysis of Impediments to Fair Housing Choice and the local activities **must** coincide with the county activities.

Fair Housing Links

For more information on promoting fair housing, please visit:

<http://www.hud.gov/offices/fheo/promotingfh.cfm>
<http://www.hud.gov/local/index.cfm?state=nc>
<http://www.hud.gov/offices/fheo/FHLaws/index.cfm>
<http://www.doa.state.nc.us/hrc/fairhousing.aspx>
<http://www.hud.gov/offices/fheo/images/fhpg.pdf>

VI. To have the plan approved, please do the following:

1. It is recommended to submit an electronic copy in Word format to the Compliance Office at compliance@nccommerce.com. After review, a Compliance staff person will notify the contact person of any required changes.
2. For approval, please submit an original hardcopy with signature of the local Certifying Officer to the Compliance Office.
3. Upon receipt of the plan, the Compliance Office will issue an official letter notifying the grantee that the Fair Housing Plan is approved.

VII. Compliance Reviews

Please note that the Compliance Office will conduct random desktop and on-site reviews of fair housing plans in conjunction with Grant Representatives to ensure that applicants are conducting fair housing activities as certified in the approved Fair Housing Plan. Please ensure to maintain comprehensive documentation of fair housing activities for reporting and monitoring.

Recipient's Plan to Further Fair Housing

Grantee: Town of River Bend

Recipient's Address:

45 Shoreline Drive
River Bend, NC 28562

Contact Person: Delane Jackson

Contact Phone: 252-638-3870 ext.
213

Contact Email: manager@riverbendnc.org

TDD #: 1-800-735-2962

I. Indicate if the Recipient will be affirmatively furthering fair housing for the first time or has implemented specific activities in the past.

First Time X Past Activities _____

II. Identify and analyze obstacles to affirmatively furthering fair housing in recipient's community. (Use additional pages as necessary)

Discussions with local public officials indicate that housing related industries (contractors, lenders, realtors, appraisers) are aware of the need for fair housing; however, they lack information regarding Federal and State fair housing legislation. Public-assisted housing providers appear to be more knowledgeable of legislation. There seems to be a lack of knowledge among citizens of fair housing laws and a lack of affordable dwellings for handicapped and large families within public housing. All activities undertaken will have provisions of reaching the visually impaired and ensure equal opportunity for housing in the community for all persons regardless of income status.

III. Will the above activities apply to the total municipality or county?

Yes X No _____ **If no, provide an explanation.**
(Use additional pages as necessary)

IV. Briefly describe the quarterly activities that the recipient will undertake over the active period of the grant to affirmatively further fair housing in their community. A time schedule and estimated cost for implementation of these activities must be included. Activities must be scheduled for implementation at least on a quarterly basis. (Use attached table)

The Town of River Bend has developed a fair housing program that includes activities that have provisions for reaching the visually impaired and ensuring equal opportunity for

housing in the community for all persons regardless of income status. Activities scheduled for the River Bend CDBG DR Program are to:

Grantee Name:

Quarterly Fair Housing Activity	Months	Year	Estimated Cost	Actual Cost
Prepare a fair housing complaint procedure. Publish in the Sun Journal	January-March	2020	\$500	
Place the fair housing message on the website of River Bend	April-June	2020	\$100	
Advertise and hold public fair housing meeting with all interested persons to discuss and assist with development of the Assessment of Fair Housing and Plan for the Town of River Bend	July-September	2020	500	
Develop a mailing list of housing related industries (contractors, lenders, realtors, appraisers) and disseminate the fair housing discrimination complaint procedures.	October-December	2020	300	
Prepare and publish a newspaper article regarding Fair Housing laws and the complaint procedure. The article will summarize fair housing requirements under Title VIII of the Civil Rights Act of 1968, as amended. The article will also inform citizens of the housing discrimination complaint procedures.	January-March	2021	500	
Make sure the Fair Housing message continues to be shown on the River Bend website.	April-June	2021	100	
Develop a fair housing brochure that summarizes the fair housing requirements under Title VIII of the Civil Rights Act of 1968, as amended.	July-September	2021	100	
Place Fair Housing Literature in the Lobby of the Administration Building of the Town.	October-December	2021	100	
Publish the fair housing discrimination complaint procedure in Error! Not a valid link..	January-March	2022	500	
Update the existing mailing list of housing related industries (contractors, lenders, realtors and appraisers) to include those not reached by past fair housing activities and disseminate the fair housing discrimination complaint procedures.	April-May	2022	200	
Post Fair Housing Complaint Procedure in all Town Operated Offices in the Town of River Bend	June-August	2022	200	
Make sure the Fair Housing message continues to be shown on the River Bend website.	September-December	2022	100	

V. Describe recipient's method of receiving and resolving housing discrimination complaints. This may be either a procedure currently being implemented or one to be implemented under this CDBG grant. Include a description of how the recipient informs the public about the complaint procedures. (Use additional pages as necessary)

- 1) Any person or persons wishing to file a complaint of housing discrimination in the town may do so by **informing the town** of the facts and circumstance of the alleged discriminatory acts or practice.
- 2) Upon receiving a housing discrimination complaint, the town shall acknowledge the complaint within 10 days in writing and inform the Division of Community Assistance and the North Carolina Human Relations Commission about the complaint.
- 3) *The town shall offer assistance to the Commission in the investigation and reconciliation of all housing discrimination complaints which are based on events occurring in the town.*
- 4) *The town shall publicize in the local newspaper, with the TDD#, who is the local agency to contact with housing discrimination complaints.*

Approved By:

March 12, 2020

John Kirkland
Mayor of River Bend

Signature

Date

The Residential Anti-Displacement and Relocation Assistance Plan reads as follows:

RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN

TOWN OF RIVER BEND

3-Year Plan

This Residential Antidisplacement and Relocation Assistance Plan is prepared by the Town of River Bend 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 CDBG¹ projects.

Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Act, the Town of River Bend will take the following steps to minimize the direct and indirect displacement of persons from their homes: (The steps provided below are examples only, each jurisdiction must determine the actions it will take based on local needs and priorities, select one or multiple steps or describe others steps below)

Coordinate code enforcement with rehabilitation and housing assistance programs.

Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants.

Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.

Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.

Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.

Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative.

Adopt tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas.

Establish counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.

Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.

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).

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.

Other: (*Describe*)

A. Relocation Assistance to Displaced Persons

The Town of River Bend 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 Town of River Bend 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.

Before entering into a contract committing Town of River Bend to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the Town of River Bend will make public by publication in a newspaper of general circulation 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 also 24 CFR 42.375(d).
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 Town of River Bend 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 Town of River Bend 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 office of the Town Clerk at 252-638-3870 is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period.

The office of the Town Clerk at 252-638-3870 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 12th day of March, 2020.

John Kirkland, Mayor

ATTEST:

Ann Katsuyoshi, Clerk

The Optional Coverage Relocation Plan reads as follows:

TOWN OF RIVER BEND
OPTIONAL COVERAGE RELOCATION PLAN

2019 CDBG NR PROGRAM

Organization and Administration

The Town of River Bend (hereinafter called "Town") will administer and coordinate all relocation activities (temporary or permanent) resulting from Community Development activities. Citizens displaced by Community Development 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 and Real Property Acquisition Policies act of 1970, as amended.

Definition of a "Displaced Person"

A displaced individual is someone whose home, which is located within the Community Development Activity Area, 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 or reconstruction.

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 weathertight, with no leakage nor dampness; (b) it has no health, fire nor 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 the Town. If the dwellings are not found to be decent, safe and sanitary, the move will be considered temporary relocation.

Optional Coverage for the Town of River Bend, North Carolina

The Town's Community Development Program shall undertake relocation that may not be covered automatically under the URA such as would be the case with voluntary demolition. The Town 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, the Town of River Bend 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 by the Town. This will be effective only when the Town makes the request for the occupant to move.
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

The Town 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 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. The Town will only pay for the cost of the lodging during the temporary relocation time period. A maximum allowable per night charge shall be established prior to the move. Relocates are required to submit receipts to the Town documenting the expenses for which they are requesting reimbursement.

Moving Expense Payment

A permanently displaced individual or family covered under this Plan shall be eligible to receive a moving expense payment in accordance with the following sections 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:

1. Section 24.302 – Fixed payment for moving expenses – residential moves.

The relocatee will receive payment on the basis of the moving expense schedule (Fixed Rate Method) which is prepared by the U.S. Department of Transportation and shown below for the State of North Carolina.

Occupant Owns Furniture								Occupant Does Not Own Furniture		
Number of Rooms of Furniture								Each Add. Room	First Room	Each Add. Room
1	2	3	4	5	6	7	8			
550	750	1050	1200	1350	1600	1700	1900	150	350	50

Under the Fixed Rate method, it should be noted that certain rooms are excluded from the calculations. These include unfurnished or unused rooms, halls, bathrooms, attics, porches, garages, dressing rooms and utility rooms. However, should the relocatee have sufficient storage room in the above stated rooms, the Town may count one additional room for the sum of these, but this is not to exceed one additional room for the calculation of the number of eligible rooms in the dwelling.

Replacement Housing Payment

A permanently 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 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

The Town 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, the Town solicits the cooperation of all owners and requests an opportunity to discuss them in an effort to satisfy all parties concerned. The Town has adopted the following Complaint Procedure:

Should any individual, family or entity have a complaint concerning the Town of River Bend Community Development Program, the complaint should first be discussed with the Project Manager. **ALL EFFORTS SHOULD BE EXHAUSTED TO RESOLVE THE COMPLAINT AT THIS LEVEL.**

If the complaint cannot be resolved in this manner, a meeting with the Town 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 ten (10) calendar days of receipt of the request. Upon meeting and discussing the complaint, a reply will be made, in writing, within ten (10) calendar days.

If the citizen is dissatisfied with local response, they may **write** to the North Carolina Department of Commerce, Division of Community Assistance (DCA), 4313 Mail Service Center, Raleigh, North Carolina 27699-4313. DCA will respond **only to written comments** within ten (10) calendar days of the receipt of the comments.

John Kirkland, Mayor

DATE

QUARTERDECKS CLUSTER III HOA STREET DEDICATION

The Town Manager said that the HOA has been working on and discussing this project for many years. Representatives of the HOA will attend the Regular Meeting to ask the Council to consider accepting their roads. Mr. Jackson said that they have been informed that acceptance will be contingent upon them meeting the requirements of the Town's engineer.

Discussion of Town's Building Use Policy

BUILDING USE POLICY

Mr. Jackson told the Council that he has made some proposed changes to the current Building Use Policy including a deposit fee and a policy that would make most groups subject to a user fee. This would include most HOA's. He asked the Council to consider these changes for the Regular meeting.

ASADRA GRANT/LOAN APPLICATION FOR HURRICANE FLORENCE

The Manager said that, if we apply, we can do so by agree to take the risk of paying the engineer \$7,500 to submit the application. If the grant is awarded, the Town can then hire the engineer to manage the project, at which point the engineer will forego the application submission fee. If the Town should choose another engineer to manage the project, it would still owe the \$7,500 submission fee to the first engineer. The maximum award would be \$150,000.

Councilman Fogle **moved to approve the Agreement for Grant and/or Loan Application Services with Municipal Engineering Services Company, P.A. as presented.** The motion carried unanimously.

HURRICANE RECOVERY MAP

Mr. Jackson told the Council that Assistant Zoning Administrator Allison McCollum is planning to attend the Regular meeting to make a presentation on this item.

WEBSITE PARTNERSHIP AGREEMENT

The Manager said that this agreement will allow the Town to update our webpage and migrate to VC3 support. If this Plan is approved, the Town will pay \$620 per month for the 4-year term of the Agreement.

Councilman McClard **moved to approve the Website Partnership Plan with VC3 as presented.** The motion carried unanimously.

ADJOURNMENT

There being no further business, Councilman Sheffield **moved to adjourn.** The motion carried unanimously. The meeting adjourned at 7:00 p.m.

Ann Katsuyoshi
Town Clerk

