



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Budget and Purchasing Board Action

File #: 20-274

Commissioner Worley - Budget/Purchasing - To Adopt the Updated Community Development Block Grant (CDBG) Compliance Plans

STAFF CONTACT

Pat Laws - Budget/Purchasing - 704-866-3771

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

Gaston County was awarded a Community Development Block Grant for Neighborhood Revitalization. Implementation of the grant requires that the County approve and comply with certain federal performance and procurement requirements.

POLICY IMPACT

N/A

ATTACHMENTS

The Agenda packet includes the following Compliance Plans to be adopted by the Board of Commissioners:

- Equal Opportunity and Procurement Plan
- Analysis of Impediments to Fair Housing and Fair Housing Plan
- Language Access Plan
- Local Jobs Initiative Section 3 Plan
- Section 504 Survey and Grievance Procedure
- Citizen Participation Plan
- Residential Anti-Displacement and Relocation Assistance Plan
- Policy of Nondiscrimination Based on Handicapped Status
- Policy Prohibiting Excessive Use of Force
- Procurement and Disbursement Policy

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	JBrown	AFraley	BHovis	TKelgher	TPhilbeck	RWorley	Vote
2020-156	06/23/2020	CB	AF	A	A	A	A	A	A	A	U

DISTRIBUTION:

Laserfiche Users

A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS



**RESOLUTION TITLE: GASTON COUNTY BOARD OF COMMISSIONERS
TO ADOPT THE UPDATED COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) COMPLIANCE PLANS**

WHEREAS, Title I of the Federal Housing and Community Development Act of 1974, as amended, has established the U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, and has authorized the making of grants to aid eligible units of government in funding the cost of neighborhood stabilization and that the North Carolina Department of Commerce was delegated the authority by the state legislature to administer state grant monies received from the U.S. HUD CDBG Program; and,

WHEREAS, Gaston County has requested and received state grant assistance for a project; and,

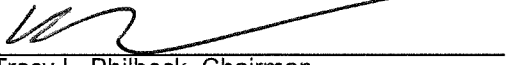
WHEREAS, HUD's State CDBG program has many federal performance and procurement requirements; and,

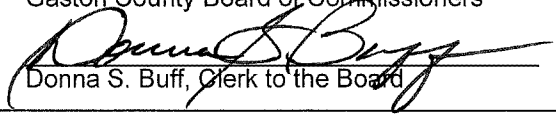
WHEREAS, the County will implement these plans broadly and not specific to any single CDBG grant.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Gaston County that:
Gaston County adopts and places into effect the following compliance plans:

- Equal Opportunity and Procurement Plan
- Analysis of Impediments to Fair Housing and Fair Housing Plan
- Fair Housing Compliant Procedure
- Language Access Plan
- Local Jobs Initiative Section 3 Plan
- Section 504 Survey and Grievance Procedure
- Citizen Participation Plan
- Residential Anti-Displacement and Relocation Assistance Plan
- Policy of Nondiscrimination Based on Handicapped Status
- Policy Prohibiting Excessive Use of Force
- Conflict of Interest Policy

Adopted this the 23rd day of June 2020 in Gaston County, North Carolina.


Tracy L. Philbeck, Chairman
Gaston County Board of Commissioners


Donna S. Buff, Clerk to the Board

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	JBrown	AFrale	BHovis	TKeigher	TPhilbeck	RWorley	Vote
2020-156	06/23/2020	CB	AF	A	A	A	A	A	A	A	U

DISTRIBUTION:
Laserfiche Users

A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

RESOLUTION BY GASTON COUNTY TO ADOPT CDBG PLANS

WHEREAS, Title I of the Federal Housing and Community Development Act of 1974, as amended, has established the U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, and has authorized the making of grants to aid eligible units of government in funding the cost of neighborhood stabilization and that the North Carolina Department of Commerce was delegated the authority by the state legislature to administer state grant monies received from the U.S. HUD CDBG program, and

WHEREAS, Gaston County has requested and received state grant assistance for a project,

WHEREAS, HUD's State CDBG program has many federal performance and procurement requirements,

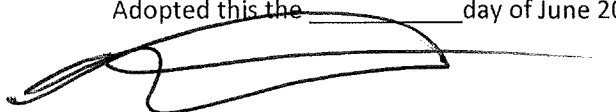
WHEREAS, The County will implement these plans broadly and not specific to any single CDBG grant,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF GASTON COUNTY:

That Gaston County adopts and places into effect the following compliance plans:

- Equal Opportunity and Procurement Plan
- Analysis of Impediments to Fair Housing and Fair Housing Plan
- Fair Housing Compliant Procedure
- Language Access Plan
- Local Jobs Initiative Section 3 Plan
- Section 504 Survey and Grievance Procedure
- Citizen Participation Plan
- Residential Anti-Displacement and Relocation Assistance Plan
- Policy of Nondiscrimination Based on Handicapped Status
- Policy Prohibiting Excessive Use of Force
- Conflict of Interest Policy

Adopted this the _____ day of June 2020 in Gaston County, North Carolina.



(Signature of Chairman)

Tracy Philbeck, Chair-Gaston County Board of Commissioners

(Printed Name and Title)

Attest:



Clerk to the Board

Signature & Title

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

This Residential Anti-Displacement and Relocation Assistance Plan is prepared by **Gaston County** in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to our CDBG¹ projects.

MINIMIZE DISPLACEMENT

Consistent with the goals and objectives of activities assisted under the Act, the **County** 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.

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) Click or tap here to enter text.

A. Relocation Assistance to Displaced Persons

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

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

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

Before entering into a contract committing **County** to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the **County** will make public and submit to State CDBG Program(s) North Carolina Department of Commerce 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. [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 **County** will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

C. Replacement not Required Based on Unit Availability

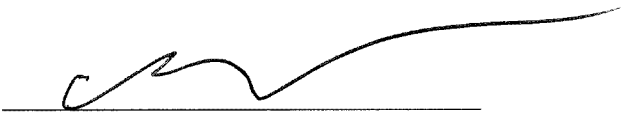
Under 24 CFR 42.375(d), the **County** may submit a request to the State (NC Commerce) for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

D. Contacts

The **Grant Administration Office (704-866-3771)** is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period.

The **Grant Administration Office (704-866-3771)** 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 23 day of Jan, 2020


(Chief Elected Official)

ATTEST:


(Clerk)

Providing Meaningful Communication with Persons with Limited English Proficiency

Gaston County
June 2020-June 2023

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 Gaston County will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in benefits and services for which such persons qualify. This Policy defines the responsibilities the agency has to ensure LEP individuals can communicate effectively.

DEFINITIONS:

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

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

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

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

PROCEDURES:

1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE

Gaston County 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:

Pat Laws, Grants Administrator
Gaston County Administrative Building
128 W. Main Avenue
PO Box 1578
Gastonia NC 28053
Phone: 704-866-3771
Email: pat.laws@gastongov.com

(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)

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*).

☐ Other (*describe*):

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

Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested

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

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

3. PROVIDING WRITTEN TRANSLATIONS

- i. Gaston County will set benchmarks for translation of vital documents into additional languages.
- ii. When translation of vital documents is needed, Gaston County will submit documents for translation into frequently-encountered languages.
- iii. Facilities will provide translation of other written materials, if needed, as well as written notice of the availability of translation, free of charge, for LEP individuals.

4. PROVIDING NOTICE TO LEP PERSONS

The County will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. Example: The notification will include, in the primary language of the applicant/recipient, the following language: IMPORTANT: IF YOU NEED HELP IN READING THIS, ASK THE 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.

Gaston County Administrative Building

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

Outreach Documents

5. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION

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

I. Compliance Procedures, Reporting and Monitoring

A. Reporting

The 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:

Tracy L. Philbeck

Name of Chairman of Board

A handwritten signature in black ink, appearing to be 'Tracy L. Philbeck', written over a horizontal line.

Signature of Chairman of Board

6/23/2020

Date

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

Gaston County
June 2020-June 2023

I. APPLICATION AND COVERAGE OF POLICY

Gaston County is committed to the policy that, to the greatest extent possible, opportunities for training and employment be given to lower income residents of the community development project area and contracts for work in connection with 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, *Gaston County* has developed and hereby adopts the following Plan:

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

This Section 3 covered project area for the purposes of this grant program shall include *Gaston County*.

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

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

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

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

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

Gaston County will take the following steps to assure that low income residents and businesses within the community development project area and within the *County* are used whenever possible: (Describe below)

1. Place qualified residents and businesses on solicitation lists.
2. Assure that residents and businesses are solicited whenever they are potential sources of contracts, services or supplies.

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

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

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

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

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

- i. Advertisement in the local newspaper
- ii. Posting of Section 3 Plan at the County Courthouse
- iii. County Board meeting when project activities and schedules are discussed
- iv. Open meetings of Project Advisory Committee when everyone in neighborhood is invited
- v. Notification to other agencies that provide services to low-income people.

☐ Other (describe):

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

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

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

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

III. RECORDS AND REPORTS

Gaston County will maintain such records and accounts and furnish such information and reports as are required under the Section 3 regulations, and permit authorized representatives of 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.

Gaston County 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

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

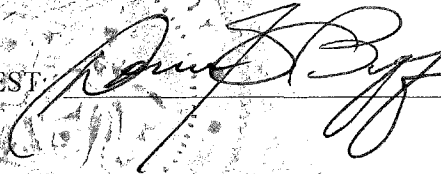
V. COMPLAINTS CONTACT

Pat Laws
Grants Administrator
Gaston County
704-866-3771
pat.laws@gastongov.com

Adopted this 23 day of June, 20 20.


(Chief Elected Official)

ATTEST


(Clerk)

CODE OF CONDUCT POLICY FOR CDBG GRANTEES

WHEREAS, **Gaston County**, as the recipient of federal funding through the Community Development Block Grant (CDBG) Grant program;

WHEREAS, the conflict of interest provisions, including but not limited to those found at N.C. General Statutes § 14-234, 2 C.F.R. § 200.317-318, 320-321, 323-326, 24 C.F.R. § 570.489 (g) and (h), and 24 C.F.R. § 570.611 must be carried out;

WHEREAS, certain limited exceptions to the conflict of interest rules listed in 24 C.F.R. § 570.489 may be granted in writing by Housing and Urban Development (HUD) and/or NC Commerce upon written request and the provision of information specified in 24 C.F.R. § 570.489(h)(ii)(4);

WHEREAS, no persons described in this policy who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter;

WHEREAS, the conflict of interest provisions of this policy apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient, or of any designated public agencies, or of subrecipients that are receiving funds; and

WHEREAS, the failure to adhere and enforce this policy may cause the **County** to lose its grant or eligibility for future federal grants;

NOW THEREFORE, BE IT RESOLVED, by **Gaston County's** Board of **County Commissioners** that the **County** will pass and adhere to this policy.

Adopted this the 23 day of June, 20 20 in Gaston County, North Carolina.

ATTEST:

Clerk

Chief Elected Official

CITIZEN PARTICIPATION PLAN FOR CDBG GRANTEES

CDBG Recipient/Grantee Name:	GASTON COUNTY
CDBG Recipient/Grantee Mailing Address:	128 WEST MAIN AVENUE, PO BOX 1578, GASTONIA NC 28053
CDBG Recipient/Grantee Physical Address (if different from mailing):	128 WEST MAIN AVENUE, PO BOX 1578, GASTONIA NC 28053
Contact Person & Title:	PAT LAWS, GRANT ADMINISTRATOR
Contact Email:	PAT.LAWS@GASTONGOV.COM
Contact Phone Number:	704-866-3771
TDD#:	711

I. PURPOSE AND INTRODUCTION

The **County** has designed this community-wide Citizen Participation Plan to provide for and encourage citizen participation in the Community Development Block Grant (CDBG) program.

This Plan is an essential element of the **County's** present and future community development process and has been developed to comply with the regulations and requirements of the CDBG program as administered by the North Carolina Department of Commerce, Rural Economic Development Division and the Department of Housing and Urban Development (HUD). 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 primary goal of this Citizen Participation Plan is to provide all citizens of the community with adequate opportunity to participate in an advisory role in the planning, implementation, and assessment of the **County's** CDBG program(s) and project(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.

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

Local units of general government must provide citizens with reasonable advance notice of and opportunity to comment on proposed activities in an application to the state; and for grants already made, the same opportunities must be provided for activities proposed to be added, deleted, or substantially changed from the original application to the state. Substantially changes include, but not limited to, purpose, scope, location or beneficiaries.

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

2. SCOPE OF PARTICIPATION

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

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

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

3. CITIZEN PARTICIPATION CONTACT PERSON

Pat Laws has been designated Citizen Participation Coordinator by the **Chief Elected Official** 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 **Gaston County, 128 W. Main Avenue, Gastonia NC 28053 or 704-866-3771** 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 **County** 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 **Chief Elected Official** of the **County** 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.

PUBLIC HEARING TIMES AND LOCATIONS

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

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

Hearings will normally be held at the **Gaston County, 128 W. Main Avenue, Gastonia NC 28053**. This site is centrally located and generally accessible to all citizens. This building is also accessible to persons with disabilities. Hearings may, however, at the option of the **County**, be held at an alternate location to be specified in the public hearing notice(s).

APPLICATION PUBLIC HEARING

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

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

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

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

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

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

Citizens attending this hearing will be provided with information concerning the CDBG project(s) proposed including, but not necessarily limited to: the project application(s) to be submitted and the applicable CDBG fund; specific project activities to be included; the location of the project activities; the

approximate cost estimate for the proposed activities; the estimate of local match required; the impact of the project on low and moderate income persons; and, the approximate application submittal date.

PROJECT AMENDMENT PUBLIC HEARINGS

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

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

ASSESSMENT OF PERFORMANCE (CLOSE-OUT) PUBLIC HEARINGS

This public hearing must be held after all third-party contracts’ payments have been submitted.

Citizens of the **County** will be provided with the opportunity to comment on the performance of local officials, the **County** staff, consultants, engineers, and contractors, and the actual use of CDBG funds during the implementation of a CDBG program. Citizens will also be requested to assess the performance of the **County** in resolving identified community development and housing needs, and in achieving its community development goals and objectives. 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 NC Commerce for a CDBG project. This hearing will be used to ensure community-wide participation in the evaluation of the CDBG program.

ADDITIONAL HEARINGS

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

6. PUBLIC HEARING ACCOMMODATIONS AND ACCESSIBILITY

VIRTUAL HEARINGS

During a declaration of a state of emergency by the Governor or General Assembly, and if a local unit of general government is concerned about significant public health risks that may result from holding an in-person public hearings, the local unit of general government may undertake a virtual public hearing (alone, or in concert with an in-person hearing) if:

- It allows questions in real time, with answers coming directly from the elected representatives to all “attendees.” Therefore, members of the public must be entitled to participate and address the governing body during any telephonic or video-conference meeting.
- The governing body must post a written notice that gives the public a way to participate remotely, such as a toll-free dial-in number, and that includes an electronic copy of any agenda packet that officials will consider at the meeting.
- As with an in-person hearing, the grantee must select a virtual hearing method or platform that provides accessibility for persons with disabilities and limited English proficiency (LEP) to the greatest extent possible. These accommodations must be free to these populations.
- A governing body must provide the public with access to a recording of any telephonic or videoconference meeting.
- The local unit of government must document its efforts and the reason for them.
- Additional specific communication requirements and requirements for conducting remote meetings can be found in Article 1A of Chapter 166A and Article 33C of Chapter 143 of the General Statutes.

LIMITED ENGLISH PROFICIENCY RESIDENTS

The **County** has followed the guidance provided in the Language Access Plan (LAP) 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.

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.

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.

ACCESSIBILITY TO PERSONS WITH DISABILITIES

The locations of all public hearings as described herein shall be made accessible to persons with disabilities. The **County** shall provide a sign language interpreter whenever the Citizen Participation Coordinator is notified in advance that one or more deaf persons will be in attendance.

The **County** shall provide a qualified reader whenever the Citizen Participation Coordinator is notified in advance that one or more visually impaired persons will be in attendance.

Additionally, the **County** shall provide reasonable accommodations whenever the Citizen Participation Coordinator is notified in advance that one or more persons with mobility or developmental disabilities will be in attendance.

7. PROGRAM INFORMATION

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

To facilitate citizen access to CDBG program information, the Citizen Participation Coordinator will keep all documents related to a CDBG program on file in the City 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 NC Commerce and/or HUD; proposed and approved CDBG program application(s) for the current year or project; written comments or complaints received

concerning the community development program, and written responses from the **County**; and, copies of the applicable Federal and State rules, regulations, policies, requirements and procedures governing the CDBG program.

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

8. PROCEDURES FOR COMMENTS, OBJECTIONS AND COMPLAINTS

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

Any citizen or 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 **Chief Elected Official**. Should, after a reasonable period, a party believe that his/her comment or complaint has not been properly addressed or considered by the **Chief Elected Official**, then the aggrieved may appeal his/her case to the **County**.

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

Citizens may, at any time, contact the NC Commerce, REDD and/or HUD directly to register comments, objections or complaints concerning the **County** 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 NC Commerce, REDD or HUD.

All comments or complaints submitted to the NC Commerce, REDD or the HUD shall be addressed in writing to:

NC Department of Commerce
Rural Economic Development Division
4346 Mail Service Center
Raleigh, North Carolina 27699-4346

Or:

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

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

9. AMENDMENTS

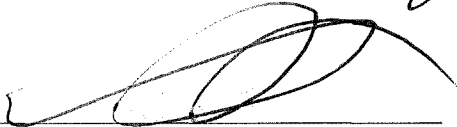
The **County** may, from time to time, modify the provisions outlined herein through amendment to this Citizen Participation Plan. It shall be the policy of the **County** to periodically review and discuss the effectiveness of this Citizen Participation Plan in allowing citizen participation in the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

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

10. AUTHORITY

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

ADOPTED this 23rd day of Jan, 2020.



(Chief Elected Official)

ATTEST


(Clerk)

Gaston County

Equal Employment and Procurement Plan

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

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

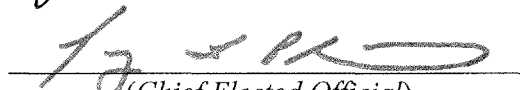
The *Gaston County* shall strive for greater utilization of all persons by identifying previously underutilized groups in the workforce, such as minorities, women, and the handicapped, and making special efforts toward their recruitment, selection, development and upward mobility and any other term,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

Responsibility for implementing equal opportunities and affirmative action measures is hereby assigned to the *Gaston County Staff Grant Administrator* to assist in the implementation of this policy statement.

Gaston County shall develop a self-evaluation mechanism to provide for periodic examination and evaluation. Periodic reports as requested on the progress of Equal Employment Opportunity and Affirmative Action will be presented to the *Chief Elected Official*.

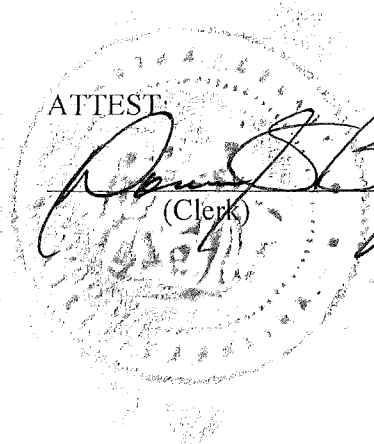
The *County* is committed to this policy and is aware that with its implementation, the *County* will receive positive benefits through the greater utilization and development of all its human resources.

Adopted this 23rd day of June, 2020


(Chief Elected Official)

ATTEST:


(Clerk)



THE PROHIBITION OF THE USE OF EXCESSIVE FORCE FOR CDBG GRANTEES

WHEREAS, **Gaston County**, as the recipient of federal funding through the Community Development Block Grant (CDBG) Grant program;

WHEREAS, Title 1 of the Housing and Community Development Act (HCDA) of 1974, Section 519 of Public Law 101-144, and 1990 HUD Appropriations Act requires that all CDBG recipients adopt and enforce a policy to prohibit the use of excessive force by law enforcement agencies within the recipient's jurisdiction against any individuals engaged in non-violent civil rights demonstrations;

WHEREAS, all recipients of CDBG funds are further required to follow a policy enforcing applicable federal, state and local laws against physically barring entrances or exists to a facility that is the subject of a non-violent demonstration;

WHEREAS, **Gaston County** endorses a policy prohibiting the use of excessive force and will inform all law enforcement agencies within its jurisdiction of this policy; and

WHEREAS, the failure to enforce such policy may cause the **County** to lose its grant or eligibility for future federal grants;

NOW THEREFORE, BE IT RESOLVED:

SECTION 1: It is the Policy of the **County** that excessive force by local law enforcement agencies shall not be used against individuals engaged in lawful and non-violent civil rights demonstrations within the its boundaries.

SECTION 2 It is the Policy of the **County** to enforce applicable federal, state and local laws against the physical barring of an entrance to or exit from a facility or location which is the subject of nonviolent civil rights demonstrations within its jurisdiction.

SECTION 3: The **County** will coordinate with the local law enforcement agency(ies) to implement this Resolution.

PASSED BY THE **COUNTY COMMISSIONERS, GASTON COUNTY, NORTH CAROLINA.**

Adopted this 23rd day of June, 2020.

ATTEST:

Clerk

Chief Elected Official

Fair Housing Complaint Procedure

Gaston County

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

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

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

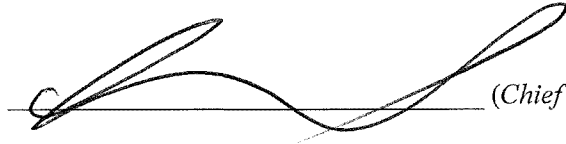
If you have any questions about the complaint procedure or would like to register a complaint of fair housing discrimination please contact the **Gaston County, Grant Administrator Office, 128 W. Main Avenue, Gastonia NC 28053, 704-866-3771, pat.laws@gastongov.com** or, for the hearing impaired, TDD assistance is available at **(TDD #711)** and providing the facts and circumstances of alleged discriminatory act or practice.

This information is available in Spanish or any other language upon request. Please contact Pat Laws at 704-866-3771 or at 128 W. Main Avenue, Gastonia NC 28053 for accommodations for this request.

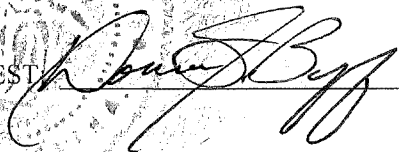
Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con Pat Laws al 704-866-3771 o en 128 W. Main Avenue, Gastonia NC 28053 de alojamiento para esta solicitud.



Adopted this 23 day of June, 2020


(Chief Elected Official)

ATTEST


(Clerk)

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

Discrimination Complaints

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



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/ftheo/promotingfh.cfm>
<http://www.hud.gov/local/index.cfm?state=nc>
<http://www.hud.gov/offices/ftheo/FHLaws/index.cfm>
<http://www.doa.state.nc.us/hrc/fairhousing.aspx>
<http://www.hud.gov/offices/ftheo/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: Gaston County

Recipient's Address: 128 W. Main Avenue

PO Box 1578

Gastonia, NC 28053

Contact Person: Pat Laws

Contact Phone #:704-866-3771

Contact Email: pat.laws@gastongov.com

TDD #:711

- 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)**

1. Gaston County prepared an Analysis of Impediments and Assessment of Fair Housing for the entire County. (Attachment 1) This document found that the obstacles to affirmatively furthering fair housing in the area are: 1) Lack of knowledge of fair housing laws and regulations among the general population; 2) Lack of affordable housing options and quality affordable housing stock; and 3) Disparities in access to opportunities for certain neighborhoods, in particular with exposure to poverty, and employment.

- 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)**

Grantee Name: Gaston County

Quarterly Fair Housing Activity	Months	Year	Estimated Cost	Actual Cost
<i>Example: Establish FH policy, Complaint Procedure</i>	<i>Jan-Mar.</i>	<i>20xx</i>	<i>\$xxxx</i>	<i>\$xxxx</i>
County to hire consultant and work with consultant to develop fair housing plan.	Jan-Mar	2020	\$200	
Adopt Fair Housing Plan and Complaint Procedure, create and post fair housing survey online.	April-June	2020	\$0	
Place fair housing compliant procedure in the local newspaper.	July-Sept	2020	\$200	
Mail fair housing information to local lenders.	Oct-Dec	2020	\$25	
Hold virtual training on fair housing lending.	Jan-Mar	2021	\$0	
Mail fair housing information to local realtors.	April-June	2021	\$25	
Post fair housing information in town hall, public library, and online.	July-Sept	2021	\$0	
Hold housing selection committee meeting to discuss fair housing obstacles and opportunities.	Oct-Dec	2021	\$0	
Place the fair housing complaint procedure on County website.	Jan-Mar	2022	\$0	
Update fair housing brochures and posters in County Administration Building and library branches.	April-June	2022	\$0	
Mail fair housing information to local lenders.	July-Sept	2022	\$25	

Place link on County website to HUD fair housing information page. Report to County Commissioners fair housing activities for the year.	Oct-Dec	2022	\$0	
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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 *County* may do so by informing the *County Grant Administrator* of the facts and circumstance of the alleged discriminatory acts or practice in writing.
- 2) Upon receiving a housing discrimination complaint, the *County Grant Administrator* 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 *County* shall **offer assistance** to the Commission in the investigation and reconciliation of all housing discrimination complaints which are based on events occurring in the *County*.
- 4) The *County* shall **publicize** in the local newspaper, with the TDD#, who is the local agency to contact with housing discrimination complaints.

Approved By:

Tracy Philbeck, Chair-Board of Commissioners

Name and Title of
Chief Elected or Executive Officer

Signature

Date

GASTON COUNTY
POLICY OF NONDISCRIMINATION
ON THE BASIS OF
HANDICAPPED STATUS

The Gaston County does not discriminate on the basis of handicapped status in the admission or access to, or treatment or employment in, its federally assisted programs or activities.

Pat Laws
Gaston County
128 W. Main Avenue
PO Box 1578
Gastonia, NC 28053
Phone: 704-866-3771
TDD: #711

Pat Laws, Grant Administrator
has been designated to coordinate compliance with the
nondiscrimination requirements contained in the Department of
Housing and Urban Development's (HUD) regulations implementing
Section 504 (24 CFR Part 8. dated June 2, 1988).

Gaston County

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

The Governing Body of Gaston County hereby designates Pat Laws, County Grants Administrator, to serve as Section 504 Compliance Officer throughout the implementation of the County of Gaston's 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: Gaston County Administration Building, Office of Grants Administrator, 128 West Main Avenue, PO Box 1578, Gastonia NC 28053, Phone Number: 704-866-3771. Gaston County will respond to all written citizen grievances within ten (15) days of receipt of the comments.

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

If citizen is dissatisfied with the local response, they may write to the North Carolina Department of Commerce, Rural Economic Development Division, CDBG-NR Program:

Mailing Address - 4346 Mail Service Center, Raleigh, North Carolina, 27699-4346


NC Commerce 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 Pat Laws at 704-866-3771 or at 128 West Main Avenue, PO Box 1578, Gastonia NC 28053 for accommodations for this request.

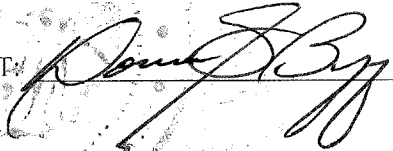
Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con Pat Laws al 704-866-3771 o en 128 West Main Avenue, PO Box 1578, Gastonia NC 28053 de alojamiento para esta solicitud.

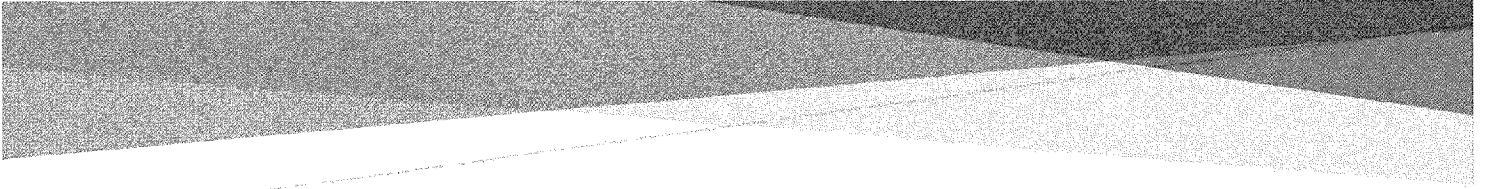


Adopted this 23 day of June, 20 20

 (Chief Elected Official)

ATTEST

 (Clerk)

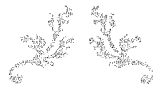


GASTON COUNTY FAIR HOUSING REPORT

June 5, 2020

Affirmatively Furthering Fair Housing (AFFH)

Affirmatively furthering fair housing (24 C.F.R. § 5.152) means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a program participant's activities and programs relating to housing and urban development.



Fair housing choice is not only about combating discrimination

Fair housing choice involves individuals and families having the information, opportunity, and options to live where they choose without unlawful discrimination and other barriers related to race, color, religion, sex, familial status, national origin, or disability, and that their choices realistically include housing options in integrated areas and areas with access to opportunity. Fair housing choice encompasses (1) actual choice, which means the existence of realistic housing options; (2) protected choice, which means housing that can be accessed without discrimination; and (3) enabled choice, which means realistic access to sufficient information regarding options so that any choice is informed. For persons with disabilities, fair housing choice and access to opportunity include access to accessible housing and housing in the most integrated setting appropriate to an individual's needs.



Analysis of Impediments to Fair Housing Choice Components

1. Cover Sheet and Certification
2. Executive Summary
3. Community Participation Process
4. Assessment of Past Goals and Actions
5. Fair Housing Analysis:

A. Demographic Summary

B. General Issues:

1. Segregation/Integration
 - a. Analysis
 - b. Contributing Factors of segregation: Impediments
2. Racially and Ethnically Concentrated Areas of Poverty (R/ECAPs)
 - a. Analysis
 - b. Contributing Factors of segregation: Impediments
3. Disparities in Access to Opportunity
 - a. Analysis
 - i. Educational Opportunities
 - ii. Employment Opportunities
 - iii. Transportation Opportunities
 - iv. Low Poverty Exposure Opportunities
 - v. Environmental Healthy Neighborhood Opportunities
 - vi. Patterns in Disparities in Access to Opportunity
 - b. Contributing Factors of segregation: Impediments
4. Disproportionate Housing Needs
 - a. Analysis
 - b. Contributing Factors of segregation: Impediments

C. Publicly Supported Housing Analysis

1. Analysis
 - a. Publicly Supported Housing Demographics
 - b. Publicly Supported Housing Location and Occupancy
 - c. Disparities in Access to Opportunity
2. Contributing Factors of Publicly Supported Housing Location and Occupancy: Impediments

D. Disability and Access Analysis

1. Population Profile
2. Housing Accessibility
3. Integration of Persons with Disabilities Living in Institutions and Other Segregated Settings
4. Disparities in Access to Opportunity
5. Disproportionate Housing Needs
6. Disability and Access Issues Contributing Factors: Impediments

E. Fair Housing Enforcement, Outreach Capacity, and Resources Analysis

1. Describe compliance with fair housing and civil right laws
 2. Describe the extent to which the jurisdiction /region has provided resources to fair housing and civil rights agencies/organizations that may “*assist in fair housing analysis and investigation.*”
 3. Describe any state or local fair housing law
 4. Identify agencies that provide fair housing information
 5. Fair Housing Enforcement, Outreach Capacity, and Resources Contributing Factors: Impediments
6. Fair Housing Goals and Priorities



2. Executive Summary

Gaston County is located in the Southwestern part of North Carolina near Charlotte and Mecklenburg County. The County includes 15 incorporated towns and cities along with several unincorporated communities. Interstate 85 runs through the center of the county providing connectivity to the populated areas to the west and east of the County.

Contract Model & Study Organization

The County selected Withers Ravenel, an experienced consulting firm, to prepare this report under the contract model for conducting Analysis of Impediments reports, recognizing that County staff did not have the capacity to conduct a comprehensive analysis. Withers Ravenel is currently the administrator for the County's Community Development Block Grant Neighborhood Revitalization Project and is familiar with barriers to fair and affordable housing that the County is actively working to address.

The County Grant Administrator is involved in the CDBG program administration and provided leadership and guidance throughout the study process.

Participants

This Analysis of Impediments was conducted only for Gaston County in accordance with HUD guidelines. Participants included Gaston County staff, including the County Grant Administrator, as well as Withers Ravenel.

Methodology

The report follows recommended guidelines from the U.S. Department of Housing and Urban Development (HUD) for the preparation of an Analysis of Impediments to Fair Housing Choice. Federal, state, and local data sources were utilized to create a report of the factors impacting fair housing in the jurisdiction, including demographic, economic, educational, housing supply, transportation and GIS data. The analysis was adjusted after a public outreach campaign was completed, allowing local feedback to fully inform the recommendations created from the data.

The analysis relies on the 2017 and 2018 American Community Survey 5-year Estimates and the 2010 US Census Data for the City. ACS estimates describe average characteristics of population and housing over the five-year period for which they are calculated to preserve confidentiality in smaller population groups.

The fair housing goals and the recommendations in the action plan were crafted to identify short- and long-term solutions that can be implemented over time in partnership with the County's community development goals. The final analysis was reviewed by County staff prior to completion. The report was sent to the Gaston County Board of Commissioners for approval on June 8, 2020.



Conclusions

After performing this analysis, several impediments to fair housing were identified. Specific impediments were found primarily in the following areas:

1. Lack of knowledge of fair housing laws and regulations among the general population;
2. Lack of affordable housing options and quality affordable housing stock; and
3. Disparities in access to opportunities for certain neighborhoods, in particular with exposure to poverty, and employment.

Goals that will be implemented to address these impediments include:

1. Conduct fair housing outreach activities quarterly for the life of the grant to improve knowledge of fair housing laws and regulations among the general population.
2. Increase housing information and financial resources available within the County.
3. Review housing stock and develop strategies for investment into current and new housing to ensure quality affordable housing options.

This analysis did not find any evidence of widespread housing discrimination practices based on race, sex, religion, national origin, disability, or family status in Gaston County.

Gaston County has developed a strong housing and neighborhood program that supports and implements housing rehabilitation for low-moderate income households throughout the County. This Analysis and Fair Housing Action plan will help guide the County's community development efforts in furthering fair housing throughout the community.

3. Community Participation Process

During the preparation of its Assessment of Fair Housing, the County and its administrators, Withers Ravenel, solicited input from the community through a survey that requested information about barriers to access, education and neighborhoods, in addition to factors that impacted citizens' access to fair and affordable housing. To reach the broadest possible audience, the survey was available in both English and Spanish and was available in the County Building, as well as on the County's website.

The survey was posted for approximately one week, with collection being completed on June 5. One Hundred Thirteen survey responses were received. Results from this outreach inform the analysis and recommendations provided later in the report. A copy of the full survey, as well as the survey responses, can be found in the Appendices.

In addition, a public meeting was held on June 23, 2020. Minutes from the public meeting will be available in late July from the County Clerk's Office.



Summary of Survey Contents

Of the One hundred thirteen responses the majority of the respondents knew little about fair housing and fair housing rights.

65% of the respondents claimed they do not know their rights under the fair housing act, 60% knew the definition of discrimination, while 78% are unaware of the seven protected classes.

Additionally, the majority of the respondents did not know who to contact regarding fair housing issues. 65% do not know who to contact locally if they felt they were being discriminated against, 71% didn't know a state contact for housing discrimination. Respondents were not provided brochures or information at the time of surveys because of COVID-19 no handouts were provided.

Lack of understanding of the laws related to housing discrimination is a concern as roughly the majority of respondents indicated that they did not understand the legal protections available against housing discrimination.

4. Assessment of Past Goals and Actions

The County has previously conducted an Analysis of Impediments to Fair Housing; however, it was years ago and the information was no longer relevant. However, affordable, and fair housing options have remained a priority of the County. The County currently has a successful housing rehabilitation program that provides needed home improvements for qualifying low-moderate income residents scattered across the County. The County has also actively participated and provided input to aid the City of Gastonia in their 5-year Action Plan for the City's CDBG/HOME programs.

Currently, the County is working on a county-wide strategic plan which will likely include housing and housing needs for the future.

5. Fair Housing Analysis

A. Demographic Summary

The total population of Gaston County is 224,529 according to the 2019 American Community Survey. This is an increase from the 2010 Census count of 206,098. Gaston County's population was projected at 48% male and 52% female.

Those aged 45 to 54 years make up the largest individual age group at 14.6% of the population, closely followed by those aged 35-44 at 13%, and 25-34 at 12.6%. Those aged 16 years and older

Gaston County Fair Housing Report |



account for 79.9% of the total population, while those aged 65 and older make up 15.6%. The median age is 40.1 years. These averages closely mimic the averages for the State of North Carolina.

Race & Ethnicity

The largest category by race/ethnicity in Gaston County is White, accounting for 78% of the total population. The next largest group is Black or African American, making up 17.6% of the population, followed next by Hispanic or Latino at 7.3%.

Income

The majority of households in Gaston County make between \$50,000 and \$74,999 annually. The median household income is \$49,384, which is lower than North Carolina's median of \$52,413.

Nearly 11% of the civilian noninstitutionalized population is without health insurance coverage, which is on trend and even slightly lower than the state percentage.

The poverty level in Gaston County is 14.2%, which is directly in line with the State of North Carolina Poverty level of 14%

B. General Issues

1. Integration and segregation patterns

Gaston County has more integration in and around Gastonia and the other cities incorporated and towns. The rural areas as expected are less populated and show to be less integrated according to HUD mapping data. However, the integration seen in Gastonia, which is the largest City in the County, is more diverse and represents most of the other race categories residing in the County. The majority of integration outside the incorporated areas is Hispanic and White. HUD mapping data shows a trend of more widespread integration southeast of the County closer to Charlotte, and there appears to be a slight trend in integration of multiple races along the central eastern portion of the county line.

Residents with limited English proficiency reside throughout the County. Specifically, the majority of those residents speak Spanish. There is a slight increase in LEP persons near Gastonia. There are also a few areas that have pockets of LEP persons speaking Chinese and Vietnamese.

After analysis, factors that may be impacting segregation/integration in Gaston County include lack of private investment in areas outside incorporated areas and the location and type of affordable housing outside incorporated areas.

2. Racially or ethnically concentrated areas of poverty

There is one racially or ethnically concentrated area of poverty (R/ECAPs) in Gaston County. HUD's Affirmative Furthering Fair Housing maps indicate this area is located in the center of the



County inside Gastonia. This area has a high poverty rate with the majority of the area being black and the lower portion being white. The R/ECAPs area is located in census tract 31900.

3. Disparities in Access to Opportunity

Educational Opportunities

The high school graduation rate in Gaston County is 84.7%, and 20.6% of the population has earned a bachelor's degree or higher.

A large percentage of Gaston County's population aged 18-24 years had some college experience or an associate degree (34.9%), and high school diploma or equivalent is a little higher (39.9%). Among the same age group, 18.7% were surveyed as having less than a high school education, and 6.5% had earned a bachelor's degree or higher.

For those aged 25 years and older, 31% were surveyed as having a high school degree. Another 22.8% were categorized as having attended college with no degree completed, 26% had either a bachelor's or associate degree, and 5.8% had achieved a graduate or professional degree. Around 10% did not complete a high school degree and another 4.7% had less than a 9th grade education.

Among Gaston County's white population (not Hispanic or Latino), 86.6% were surveyed as having a high school degree or higher, and 21% had a bachelor's degree or higher. 84.3% of African Americans had a high school degree or higher, and 18.2% had a bachelor's degree or higher. Race or ethnic categories with disproportionate rates of high school graduation were those identifying as some other race (54%) and those of Hispanic or Latino origin (73.5%). Rates of higher education among those same populations were also disproportionately low, with 3% and 12.1% having bachelor's degrees, respectively.

When looking at HUD's school proficiency index maps, the schools in Gaston County that have the higher number are in the southeast portion of the County, which also correlates with wealth and income, received a 74 (0-100 scale) with the higher the index, the higher the proficiency in a school system in a neighborhood. There are a few pockets on in the central western portion of the County that are the lowest in proficiency which coincide with areas that show to have higher poverty rates.

Employment Opportunities

According to the HUD mapping tool labor market engagement is at it's highest in the southeastern quadrant of the County (70-90%), and continues to higher in general on the eastern side. Areas in the western portion of the County (20% or less) and those areas bordering Gastonia (10% or less) have the lowest labor engagement.

Transportation Opportunities



Gaston County has its own Transportation called Gaston County Access Central Transportation. This department is responsible for locating needed transportation services at an affordable rate for Gaston County Residents. Access has its own transportation resources, but also utilizes local private providers when necessary. Gastonia Mass Transit is also available and utilized when needed.

Low Poverty Exposure Opportunities

When looking at the entire jurisdiction, Gaston County has a relatively high exposure to poverty, as there are pockets of poverty throughout the County with the majority being central and west. However, some areas and neighborhoods are more likely to experience poverty than others. Census tract 31500 has a Low Poverty Index of 3 (0-100 scale, with 0 indicating the most exposure to poverty), as compared to census tract 31600 with a Low Poverty Index of 25 and census tract 31704 with a Low Poverty Index of 14. The R/ECAP, which includes one of the highest percentages of racial/ethnic diversity one of the highest percentages of limited English proficiency residents, also has high exposure to poverty at a Low Poverty Index of 3.

Environmentally Healthy Neighborhood Opportunities

Gaston County has several rural areas that specific data is not available, however, the majority of the County has relatively low exposure to environmental toxins. There are a few pockets around Gastonia that have a score of 20 or lower and one area on the eastern side of the County that has a score of 23. The scores are base on a 100 point scale with lower numbers indicating more exposure and higher numbers representing less exposure. The area in the center of the County near Gastonia is in a more developed metro area, but also is in an area with higher poverty rates.

Patterns in Disparities in Access to Opportunity

When looking at HUD's affirmatively furthering fair housing data, it becomes apparent that the neighborhoods with the largest concentrations of minority, low-income, and LEP populations also have the most exposure to environmental health toxins and the highest exposure to poverty. In addition, the R/ECAP area and areas surrounding has a very low labor market index, indicating low labor force participation.

When looking at contributing factors to disparity in access to opportunity, it does not appear that land use and zoning laws are a contributing factor. The County maintains an online code of ordinances in accordance with North Carolina law. This includes ordinances for residential districts (Section 6.2).¹

The County authorizes Planning Board, Board of Adjustment, Technical Review Board, and Administrators under the authority of State Statute. A review of existing practices and authorities did not indicate that boards are disproportionately managed or appointed. The County recognizes

¹https://library.municode.com/NC/Gaston_County/codes/unified_development_ordinance?nodeId=CH6ZODI_S6.2_GEZODI



that committees and boards should reflect a variety of viewpoints from its citizens, including both male and female appointments, persons from all geographic areas of the County, and persons representing diverse racial, ethnic, and age groups.

Chapter 4 Section 4.2 of the Code of Ordinances authorizes the Board of Commissioners representatives of the County: *to appoint members to the planning board and board of adjustment, initiate, adopt, and amend a comprehensive plan, initiate amendments to the text of this ordinance, review recommendations of the planning board and make final decisions on applications for amendments to the text of this ordinance, adopt and amend a schedule of fees for a variety of procedures addressed in the ordinance, hear, review, and approve, conditionally approve, or deny amendments to the official zoning map after a recommendation of the planning board has been submitted, hear appeals of decisions made by the planning board regarding subdivision plats as provided for in section 13.6 of the Code of Ordinances.*

¹The Board meets regularly on the second and fourth Tuesday of each month at 6:00p.m. in the Courthouse, 325 Dr. Martin Luther King Jr. Way, Gastonia NC.¹

Chapter 4 Section 4.3 of the County's Code of Ordinances authorizes a Unified Development Ordinance Administrator (UDO) to administer the Ordinance. ¹

Chapter 4 Section 4.4 of the County's Code of Ordinances authorizes a Planning Board that is appointed by the Board of Commissioners. The Planning Board is responsibilities include: *prepare or hear, review and make recommendations on the content of a comprehensive plan, land use plan, and other plans that address land use and planning related issues and to submit such plan to the governing board; prepare or hear, review and make recommendations on amendments to any such plans for submittal to the board of commission; initiate or hear, review, and make recommendations to the board of commissioners applications for amendments to the text of this ordinance or to the official zoning map; adopt rules of procedure for the conduct of its meetings and for any other purposes deemed necessary and consistent with this ordinance and all other applicable local and state regulations; render decisions on preliminary plats of major subdivisions, when acting as watershed review board; to make recommendations on sketch plans on major subdivisions, rezonings, text changes, map changes; and grant variances to the subdivision chapter and watershed water supply chapter.*¹

Additionally Chapter 4 Section 4.5 lays out the responsibilities of the Board of Adjustment appointed by the Board of County Commissioners. The Board of Adjustment Responsibilities include: *to hear and decide appeals from the decisions of the administrator in which it is alleged there is an error in an order, requirement, decision, or determination made by the administrator in the enforcement of this ordinance pursuant to section 5.13; to hear and decide on applications for variances from the terms of this ordinance pursuant to section 5.14; to hear and decide on applications for special exceptions as provided in section 5.12 of this ordinance; to interpret the official zoning map and shall pass upon disputed questions of lot lines or district boundary lines and similar questions that may arise in the administration of this ordinance; to adopt rules of procedures for the conduct of its meetings, so long as such policies and procedures are consistent*



*with this ordinance and all other applicable local and state regulations; to hear and decide applications for conditional use permits per section 5.11.*¹ The board uses quasi-judicial procedures when hearing cases.

The County also has a Technical Review Committee to review plans and plats.

The County has a standard Code of Ordinances and that includes a good system of review with appropriate checks and balances and equal representation.

Contributing factors that could impact disparity in access to opportunity include the location of environmental health hazards, the location and type of affordable housing and lack of private investment in specific neighborhoods.

4. Disproportionate Housing Needs

Households that have more than 30% of their income going towards housing needs are considered to be burdened. Those households in Gaston County that are experiencing the most burden are located in the central region near Gastonia at a percentage of 50% and higher. This is also the same area as the County's R/ECAP. The areas immediately surrounding the R/ECAP also have high percentage of housing burden. Some areas in the northern most portions of the County are at 30% and higher showing to have financial burdens related to housing.

Gaston County doesn't lack affordable housing, as the data shows the majority of the County has 50% or more of the units being affordable. However, the areas as one would expect that lack affordability are the same as those areas that are experiencing housing burdens. The areas near Gastonia and the R/ECAP area have the lowest percentage of affordable units.

Not surprisingly, the LEP (R/ECAP) and minority census tracts experience the lowest rates of home ownership. Lack of private investment in these neighborhoods may be a contributing factor to the disproportionate housing needs experienced by these populations, as well as the availability of affordable units in a range of sizes.

C. Publicly Supported Housing Analysis

There are publicly supported housing units throughout the County, with most being located in the Central and Eastern portions of the County. However, housing voucher unit data is only available for portions of the County, mainly the central more developed area of the County. Of those areas with data available only one is above 15% being vouchers. Vouchers usually allow for privately owned dwellings to be rented and typically allow more housing opportunities, this is an area that could use some increase to better meet the housing need of the county.



The County has public supported housing that is primarily concentrated in the central part of the County. However, it appears that the areas that are more rural have affordable housing and the publicly supported housing is placed in the areas that most need it.

D. Disability and Access Analysis

Persons with disability are spread throughout Gaston County with no real concentrations in one area. According to the American Community Survey a total of 15.1% of Gaston County's non-institutionalized population has reported a disability. Additionally, 16.1 % are white, 16.8% are reported to be two or more races, and 15.2% are black.

Older age correlated with increased disability, affecting 31.8% of those aged 65 to 74 years and 47.7% of those aged 75 years and over. The most commonly reported disability is ambulatory difficulty (8.3%), followed by independent living difficulty (7.4%) and cognitive difficulty (4.9%).

E. Fair Housing Enforcement, Outreach Capacity, and Resources

The County is aware that if few or zero complaints are received it is not necessarily an indication that housing violations do not exist. Underreporting is a significant obstacle for many jurisdictions in North Carolina and the County is aware that better outreach and engagement may be needed to identify populations at risk and provide them clear and simple access to the fair housing violation reporting process.

Gaston County is governed by state and federal Fair Housing laws, which provide protections against housing discrimination based on race, color, religion, sex, national origin, familial status, and disability. The Real Estate Licensing Act, NCGS 9A, also addresses discrimination in the brokerage of real estate.

Legal Aid of North Carolina has an office in Gastonia that serves Gaston County. Legal Aid provides free legal services to low-income individuals, and it is a strong advocate for Fair Housing.

Outreach capacity at the County is insufficient to fully address the lack of Fair Housing knowledge; however, goals and quarterly activities will be identified as a part of this report to help increase fair housing knowledge.

Fair Housing Goals and Priorities

The collected data for Gaston County shows the following impediments for fair housing in Gaston County; 1) Lack of knowledge of fair housing laws and regulations among the general population, 2) of affordable housing options and quality affordable housing stock; and 3)Disparities in access to opportunities for certain neighborhoods, in particular with exposure to poverty, and employment.

Contributing Factor Identified: Lack of private investment in specific neighborhoods



Justification: The County is working on a strategic plan that will include housing and housing investment, this plan is in the beginning stages, but the County has recognized that there are areas of concern and plans need to be put into place to address specific areas of need.

Contributing Factor Identified: Need for ongoing public Fair Housing Outreach

Justification: As Gaston County has not completed a Fair Housing Analysis before (or if so County staff is not aware of the analysis), the County has not been performing quarterly fair housing activities which could help explain the lack of knowledge related to fair housing. In addition, outreach capacity is limited by staff time and financial resources. However, fair housing is critical to vital communities and staff will devote resources to improve outreach in the future.

Goal	Contributing Factor	Fair Housing Issue(s)	Metrics, Milestones, and Timeframe for Achievement	Responsible Program Participant
Conduct Fair Housing outreach activities on a quarterly basis for the life of the CDBG grant	Need for additional fair housing outreach	Outreach Capacity	The Gaston Board of Commissioners will approve the Fair Housing Plan in June of 2020 and will begin conducting quarterly outreach activities for Fair Housing. A list of proposed quarterly activities for the life of the grant is included.	Gaston County and Withers Ravenel Staff
Increase housing information and financial resources available to the County, its citizens and others involved in addressing housing needs	Lack of local private and public fair housing outreach and enforcement; lack of affordable housing information programs	Outreach Capacity; Disparate Access to Opportunity	1 st qtr 2021- hold virtual fair housing training on lending. 3 rd qtr 2021- make fair housing educational materials accessible to the public Report quarterly activities to Gaston County Board of Commissioners to increase awareness and education related to Fair Housing for the life of the grant.	Gaston County and Withers Ravenel Staff



Advocate for construction of new rental and home ownership units for all and for investment into current housing to ensure quality housing options.	Lack of affordable housing and quality housing	Lack of quality affordable housing	Incorporation of fair and affordable housing strategies into long-term strategic planning, land use planning and financial and grant planning. Consideration of infrastructure needs to support housing projects, such as public transportation options, broadband, water, and sewer.	Gaston County and Withers Ravenel Staff
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Quarterly Fair Housing Activity	Months	Year	Estimated Cost	Actual Cost
<i>Example: Establish FH policy, Complaint Procedure</i>	<i>Jan-Mar.</i>	<i>20xx</i>	<i>\$xxx</i>	<i>\$xxx</i>
County to hire consultant and work with consultant to develop fair housing plan.	Jan-Mar	2020	\$200	
Adopt Fair Housing Plan and Complaint Procedure, create and post fair housing survey online.	April-June	2020	\$0	
Place fair housing compliant procedure in the local newspaper.	July-Sept	2020	\$200	
Mail fair housing information to local lenders.	Oct-Dec	2020	\$25	
Hold virtual training on fair housing lending.	Jan-Mar	2021	\$0	
Mail fair housing information to local realtors.	April-June	2021	\$25	
Post fair housing information in town hall, public library, and online.	July-Sept	2021	\$0	
Hold housing selection committee meeting to discuss fair housing obstacles and opportunities.	Oct-Dec	2021	\$0	
Place the fair housing complaint procedure on County website.	Jan-Mar	2022	\$0	
Update fair housing brochures and posters in County Administration Building and library branches.	April-June	2022	\$0	
Mail fair housing information to local lenders.	July-Sept	2022	\$25	
Place link on County website to HUD fair housing information page. Report to County Commissioners fair housing activities for the year.	Oct-Dec	2022	\$0	



Appendices

Maps and Data Tables

Citizen and Community Survey

Citizen and Community Survey Results



Citizen and Community Survey



Gaston County
SURVEY FOR FAIR HOUSING
Encuesta de Informacion para el Estudio de Vivienda Justa

1. Do you know your rights under the Fair Housing Act? Yes ____ No ____
Usted sabe cuales son sus derechos bajo la de Vivienda Justa? Si ____ No ____
2. Do you know the Definition of Discrimination as it pertains to housing?
Yes ____ No ____
Usted sabe la definicion de Discriminacion con respect a la vivienda? Si ____ No ____
3. Do you know the Seven Protected Classes protected under State and Federal Laws?
Yes ____ No ____
Usted sabe cuales son las siete clases protegidas bajo las leyes Estatales y Federales?
Si ____ No ____
4. Would you know who to contact at the local level if you were felt you were being discriminated against? Yes ____ No ____
Usted sabria a quien contactar a nivel local si usted siente que ha sido sujeto a discriminacion?
Si ____ No ____
5. Would you know how to contact someone at the State level if you felt you were being discriminated against? Yes ____ No ____
Usted sabria a quien contactar a nivel Estatal si usted siente que ha sido sujeto a discriminacion?
Si ____ No ____
6. Were you given brochures/literature about the Fair Housing Act at the time of this survey?
Yes ____ No ____
Usted recibio panfletos o informacion sobre la ley de Vivienda Justa al momento de contestar esta encuesta? Si ____ No ____
7. Are you a resident of the Gaston County? Yes ____ No ____
Es usted residente del Gaston County? Si ____ No ____
8. Please identify any other issues related to fair housing.
Por favor identifique ortro problemas relacionados con el Acceso a Vivienda Justa en el área que reside.

An Equal Opportunity / Affirmative Action Employer

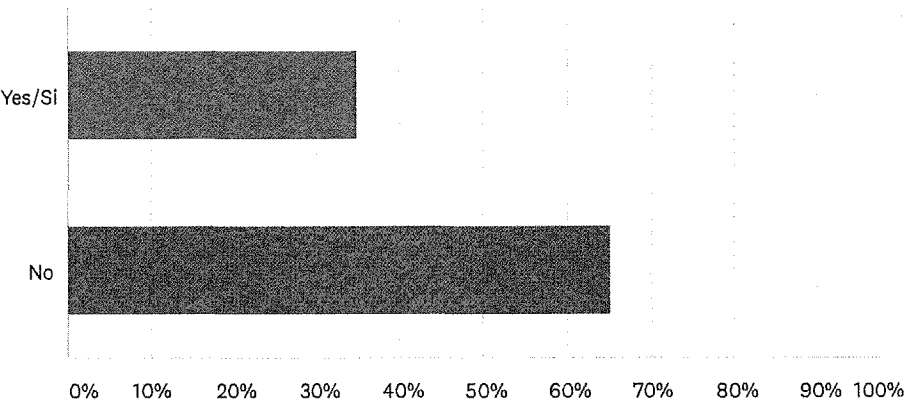


Citizen and Community Survey & Results



Q1 Do you know your rights under the Fair Housing Act? (Usted sabe cuales son sus derechos bajo la de Vivienda Justa?)

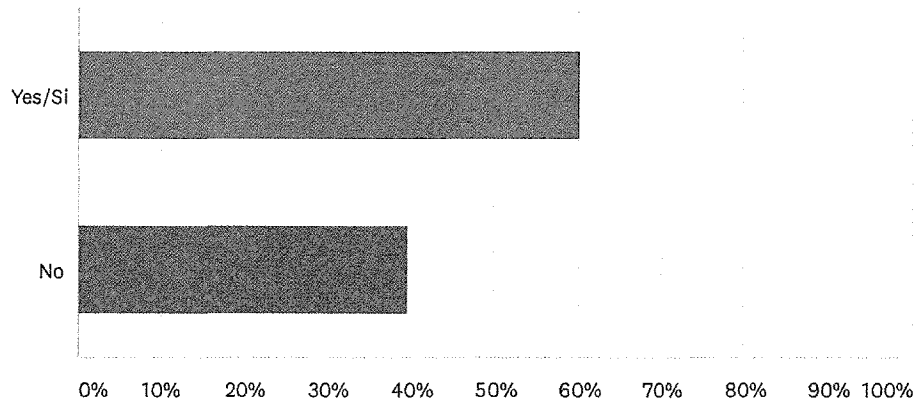
Answered: 112 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes/Si	34.82%	39
No	65.18%	73
TOTAL		112

Q2 Do you know the Definition of Discrimination as it pertains to housing? (Usted sabe la definicion de Discriminacion con respect a la vivienda?)

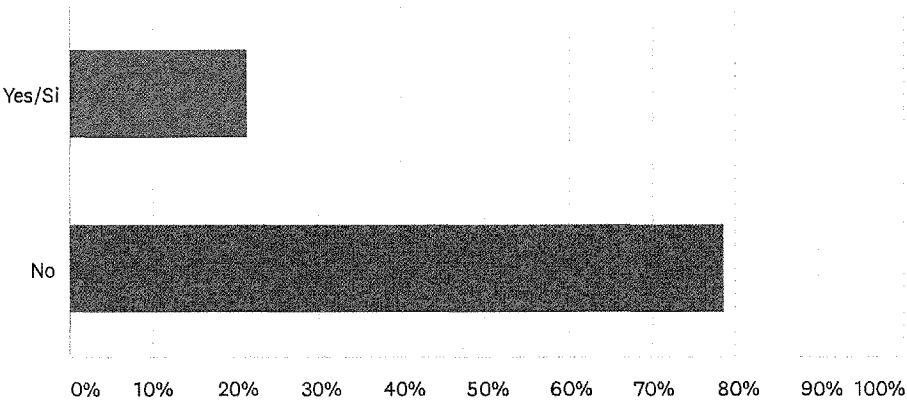
Answered: 113 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes/Si	60.18%	68
No	39.82%	45
TOTAL		113

Q3 Do you know the Seven Protected Classes protected under State and Federal Laws? (Usted sabe cuales son las siete clases protegidas bajo las leyes Estatales y Federales?)

Answered: 113 Skipped: 0



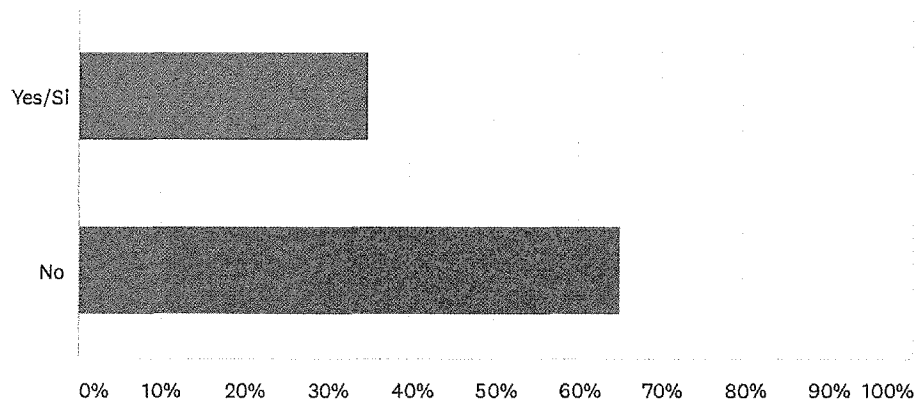
ANSWER CHOICES

RESPONSES

Yes/Si	21.24%	24
No	78.76%	89
TOTAL		113

Q4 Would you know who to contact at the local level if you were felt you were being discriminated against? (Usted sabria a quien contactar a nivel local si usted siente que ha sido sujeto a discriminacion?)

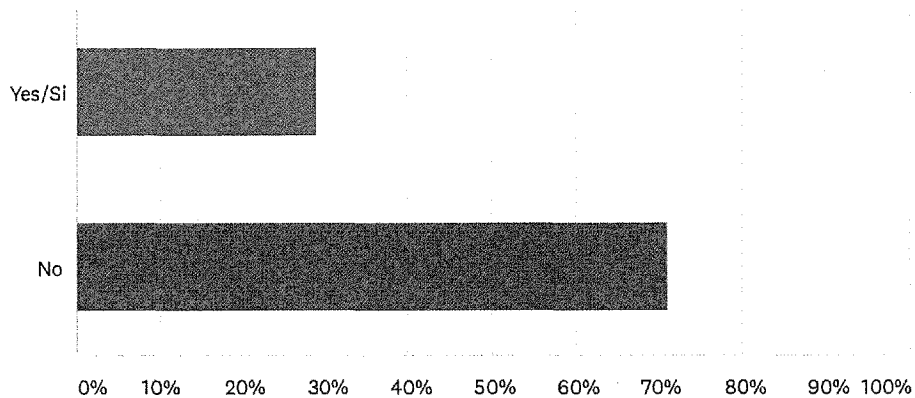
Answered: 109 Skipped: 4

**ANSWER CHOICES****RESPONSES**

Yes/Si	34.86%	38
No	65.14%	71
TOTAL		109

Q5 Would you know how to contact someone at the State level if you felt you were being discriminated against? (Usted sabria a quien contactar a nivel Estatal si usted siente que ha sido sujeto a discriminacion?)

Answered: 111 Skipped: 2



ANSWER CHOICES

RESPONSES

Yes/Si

28.83%

32

No

71.17%

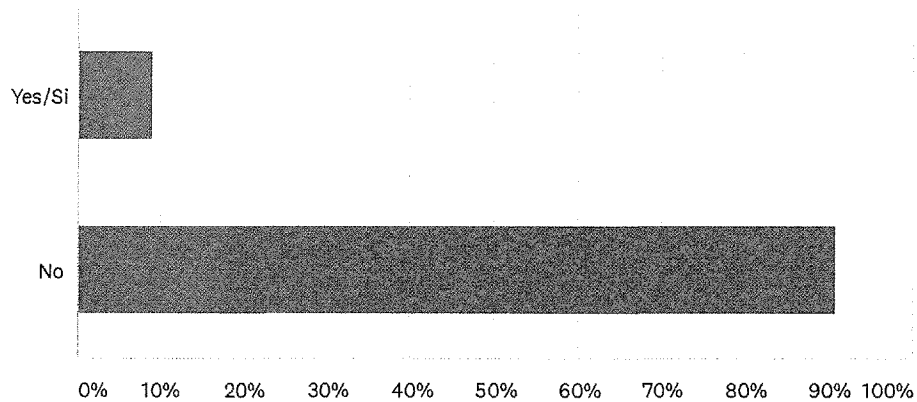
79

TOTAL

111

Q6 Were you given brochures/literature about the Fair Housing Act at the time of this survey? (Usted recibio panfletos o informacion sobre la ley de Vivienda Justa al momento de contestar esta encuesta?)

Answered: 112 Skipped: 1

**ANSWER CHOICES**

Yes/Si

No

TOTAL

RESPONSES

8.93%

91.07%

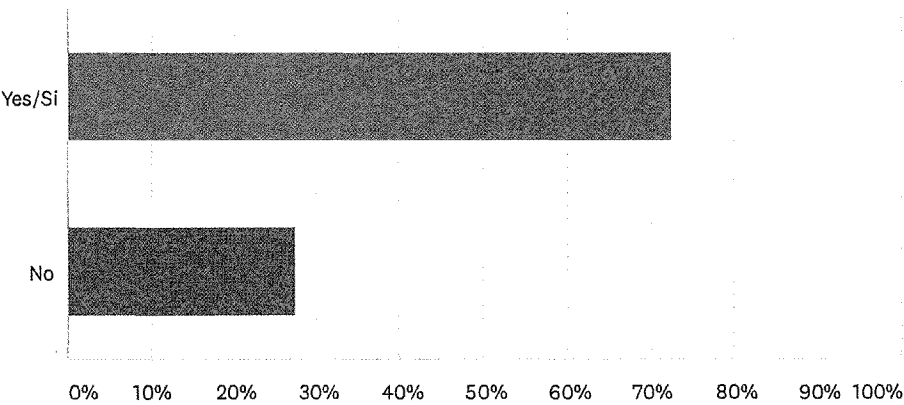
10

102

112

Q7 Are you a resident of the Gaston County? (Es usted residente del Gaston County?)

Answered: 113 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes/Si	72.57%	82
No	27.43%	31
TOTAL		113

Q8 Please identify any other issues related to fair housing. (Por favor identifique ortro problemas relacionados con el Acceso a Vivienda Justa en el área que reside.)

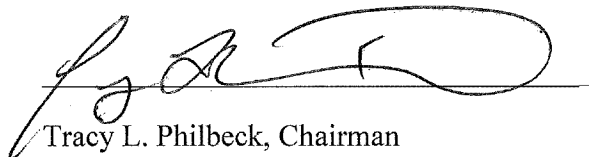
Answered: 17 Skipped: 96

the requirements of 24 C.F.R. § 5.152 or comparable replacement regulations of the Department of Housing and Urban Development;

2. The program participant will take meaningful actions to further the goals identified in its analysis conducted in accordance with the requirements in 24 C.F.R. § 5.152 and 24 C.F.R. §§ 91.225(a)(1), 91.325(a)(1), 91.425(a)(1), 570.487(b)(1), 570.601, 903.7(o), and 903.15(d), as applicable.

*All Joint and Regional Participants are bound by the certification, except that some of the analysis, goals or priorities included in the **Analysis of Impediments to Fair Housing Choice** may only apply to an individual program participant as expressly stated in the document.*

Approved and adopted,


Tracy L. Philbeck, Chairman

6/23/20

Date

This Analysis of Fair Housing shall be approved by the board and signed by the authorized representative by resolution. It will be monitored on the field and the County shall provide all records supporting information of this assessment

Analysis of Impediments to Fair Housing Choice

1. Cover sheet and Certification

Grantee: Gaston County

Recipient's Address: 128 W. Main Avenue, Gastonia NC 28053 (PO Box 1578)

Contact Person: Pat laws

Contact Email: pat.laws@gastongov.com

Contact Phone #: 704-866-3771

Submission date: June 5, 2020

Type of submission (e.g., single program participant, joint submission):

Single Unit of Government – Gaston County

Period covered by this analysis:

June 2020-June 2023

Check one:	
Initial	<input checked="" type="checkbox"/>
Amended	<input type="checkbox"/>
Renewal AFH	<input type="checkbox"/>

1. To the best of its knowledge and belief, the statements and information contained herein are true, accurate, and complete and the program participant has developed this analysis in compliance with

**Gaston County
2020
Procurement and Disbursement Policy
URGENT REPAIR PROGRAM**

PROCUREMENT POLICY


1. To the maximum extent practical, Gaston County (the County) promotes a fair, open and competitive procurement process as required under the North Carolina Housing Finance Agency's Urgent Repair Program (URP). Bids are invited from Contractors who are part of the County's approved contractor registry. (To be on the registry, a contractor must complete an application, have their recent work reviewed and approved by the Program Manager and submit proof of insurance.) Any contractor listed with and approved by the County and in good standing (i.e., no unresolved, past-performance issues) receives automatic approval status on the contractor registry.
2. At least three eligible contractors on the County's approved contractor registry will be invited to bid on each job and the lowest responsive and responsible bidder will be selected for the contract. "Responsive and responsible" means (a) the contractor is deemed able to complete the work in a timely fashion, (b) the bid is within 15% below or 20% above the County's cost estimate, and (c) there is no conflict of interest (real or apparent).
3. Although bid packages may be bundled for multiple job sites, the bids for multiple job sites will be considered separate and apart when awarded and will be awarded to the lowest responsive and responsible bidder(s) for each job site.
4. Bid packages will consist of an invitation to bid, work write up(s) and bid sheet(s) for each job.
5. Bids must include a cost-per-item breakdown with line item totals equaling the submitted bid price. Discrepancies must be reconciled prior to a contract being awarded.
6. Any change to the original scope of work must be reduced to writing in the form of a change order to be agreed upon and signed by all parties to the original contract and two representatives of the County. The change order must also detail any changes to the original contract price.
7. No work may begin prior to the following documents being awarded and fully executed: a loan between the County and the homeowner and a contract between the vendor and the County; additionally, a written order to proceed will be provided by the County to the contractor, with a copy to the homeowner, clearly stating the times available for construction activities. In addition, a pre-construction conference and "walk thru" shall be held at the work site prior to commencement of repair work.
8. The County reserves the right to reject any or all bids at any time during the procurement process.

9. In the event of a true emergency situation, the County reserves the right to waive normal procurement procedures in favor of more expedient methods, which may include seeking telephone quotes, emails, faxed bids and the like. Should such methods ever become necessary the transaction will be fully documented. In the event phone bids are used, the County will call the first three responsive contractors on the approved contractor list who have indicated a desire to be on the telephone call list. The County will track who has been called and is responsive and will rotate through the list before starting through the rotation again.
10. All sealed bids will be opened publicly at a time and place to be announced in the bid invitation. All bidders are welcome to attend.
11. Gaston County is an equal opportunity employer, implements nondiscriminatory practices in its procurement/disbursement and will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise) businesses within its contractor and subcontractor pool.

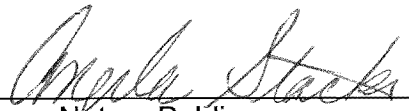
DISBURSEMENT POLICY

1. All repair work must be inspected by (a) the County's Program Manager and/or the Housing Rehab Specialist, and (b) the homeowner prior to any payments to contractors. Also, Code Enforcement Officers will inspect new work for compliance with the State Building Code as required by the guidelines of URP20. If all work is deemed satisfactory and all other factors and written agreements are in order, payment will be issued upon presentation of an original invoice from the contractor. Contractor should allow 21 business days for processing of the invoice for payment.
2. If any of the work is deemed unsatisfactory, it must be corrected prior to authorization of payment. If the contractor fails to correct the work to the satisfaction of the County's Program Manager, payment may be withheld until such time the work is satisfactory. (Contractors may follow the County's Urgent Repair Program Assistance Policy if a dispute occurs; however, contractors will abide by the final decision as stated in the policy).
3. The County assures, through this policy, that adequate funds will be available to pay the contractor for satisfactory work.
4. All contractors, sub-contractors and suppliers must sign a lien waiver prior to disbursement of funds.
5. At project closeout a certificate of final inspection will be done by the Program Manager indicating that work has been satisfactorily completed in accordance with the contract.

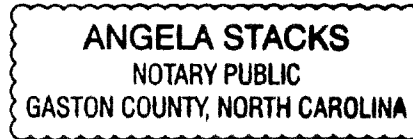
The Procurement and Disbursement Policies are adopted this the 23rd day of
June 2020.



Tracy L. Philbeck, Chairman
Gaston County Board of Commissioners



Notary Public
My Commission Expires:
August 8, 2024



CONTRACTORS STATEMENT:

I have read and understand the attached Procurement and Disbursement Policy.

BY: _____

COMPANY NAME: _____

WITNESS: _____

ANGELA JACKS
NOTARY PUBLIC
WESTON COUNTY, WEST VIRGINIA