



REQUEST FOR BOARD ACTION

ITEM NO. 15.

DATE OF MEETING: September 8, 2009

REQUESTED BY: Chip Bartlett, CDBG Project Manager, Holland Consulting Planners, Inc (HCP)

SHORT TITLE: Resolution Approving Administrative Guidelines and Policies for the FY06 CDBG-ED Grant

BACKGROUND: Pender County was awarded a \$396,478 FY2006 CDBG-ED Entrepreneurial Incubator (EI) Grant to fund a project more familiarly known as the Kitchen Incubator Project. These funds will be utilized to construct a regional kitchen incubator at James Sprunt Community College for the purpose of creating jobs through the provision of shared use kitchen facilities.

In order to meet the requirements of this grant, the County must adopt the following guidelines and policies which are attached to this resolution:

- Project Budget Ordinance
- Financial Management Resolution
- Citizen Participation Plan
- Local Economic Benefit for LMI Persons Plan (Section 3)
- Equal Employment and Procurement Policy
- Policy Concerning Code of Conduct
- Fair Housing Policy
- Designation of Labor Standards Enforcement Officer

SPECIFIC ACTION REQUESTED: The Board is requested to adopt the blanket resolution approving these guidelines and policies that are required for compliance with state guidelines.

COUNTY MANAGER'S RECOMMENDATION

Respectfully recommend approval.



Initial

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Pender County Board of Commissioners that

the guidelines and policies attached hereto and made a part this resolution by reference are hereby approved. The Chairman and/or County Manager is authorized to execute any documents necessary to implement this resolution.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS

YEA VOTES: Tate ___ Brown ___ Blanchard ___ Rivenbark ___ Williams ___

Jimmy T. Tate, Chairman 09/08/09
Date

ATTEST 09/08/09
Date

PENDER COUNTY
RESOLUTION APPROVING ADMINISTRATIVE GUIDELINES AND POLICIES
FOR THE FY2006 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ECONOMIC DEVELOPMENT (ED) PROGRAM
ENTREPRENEURIAL INCUBATOR (EI) PROJECT

WHEREAS, Pender County wishes to carry out its FY2006 CDBG-ED Entrepreneurial Incubator program in accordance with established state and federal administrative guidelines.

NOW, THEREFORE, the Pender County Board of Commissioners hereby collectively adopts the following resolutions, guidelines, plans and policies, and resolves that they be utilized during the administration of the county's FY2006 CDBG-ED Entrepreneurial Incubator program:

1. Project Budget Ordinance
2. Financial Management Resolution
3. Citizen Participation Plan
4. Local Economic Benefit for LMI Persons (Section 3) Plan
5. Equal Employment and Procurement Policy
6. Policy Concerning Code of Conduct
7. Fair Housing Policy
8. Designation of Labor Standards Enforcement Officer

Adopted this 8th day of September, 2009.

Jimmy T. Tate, Chairman

ATTEST:

Rick Benton, Clerk to the Board

PENDER COUNTY
FY06 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ECONOMIC DEVELOPMENT (ED) PROGRAM
ENTREPRENEURIAL INCUBATOR (EI) PROJECT

PROJECT ORDINANCE

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

Section 1. The project authorized is the FY06 Community Development Block Grant Economic Development Program, Entrepreneurial Incubator Project described in the work statement contained in the grant agreement (#06-E-1565) between Pender County and the North Carolina Department of Commerce. This project is more familiarly known as the Kitchen Incubator Project.

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

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

E-1: Kitchen Incubator Project

CDBG Grant	\$356,478
General Fund	\$ <u>40,000</u>
 Total Project Resources	 \$396,478

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

E-1: Kitchen Incubator Project

Project Budget	\$396,478
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Section 5. The Grant Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the North Carolina Department of Commerce required by the grant agreement(s) and federal and state regulations.

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

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

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

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

Adopted this 8th day of September, 2009.

Jimmy T. Tate, Chairman

ATTEST

Rick Benton, Clerk to the Board

SEAL

PENDER COUNTY
FY06 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ECONOMIC DEVELOPMENT (ED) PROGRAM
ENTREPRENEURIAL INCUBATOR (EI) PROJECT

FINANCIAL MANAGEMENT RESOLUTION

WHEREAS, Pender County has received an FY06 CDBG Economic Development Program Entrepreneurial Incubator Project grant in the amount of \$356,478, and has committed other revenues to the FY06 CDBG program; and

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

NOW, THEREFORE, Pender County hereby resolves the following:

- (1) David McCole, Finance Officer, will serve as Grant Finance Officer, and will be responsible for financial management of the program according to the requirements of the North Carolina Administrative Code and North Carolina General Statute requirements.
- (2) Bank of America, Burgaw, NC, is hereby designated as the official depository for revenues budgeted for the FY06 CDBG-ED Entrepreneurial Incubator program.

Resolved this 8th day of September, 2009.

Jimmy T. Tate, Chairman

ATTEST:

Rick Benton, Clerk to the Board

PENDER COUNTY
FY2006 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ECONOMIC DEVELOPMENT (ED) PROGRAM
ENTREPRENEURIAL INCUBATOR (EI) PROJECT

CITIZEN PARTICIPATION PLAN

Introduction

Pursuant to Title I of the Housing and Community Development Act of 1974, as amended, Pender County, which receives Community Development Block Grant (CDBG) funds, has prepared a written citizen participation plan. Through this plan, citizens will be provided adequate opportunity for meaningful involvement on a continuing basis and for participation in planning, implementation, and assessment of the county's community development activities. The county shall provide adequate information to citizens, hold public hearings at the initial stage of the planning process and throughout all CDBG projects to obtain the views and proposals of citizens, and provide citizens an opportunity to comment on the county's past performance. This plan is to serve as a citizens' guide to interacting with CDBG projects in a meaningful way and to establish a process whereby citizen participation requirements will be met.

Objectives of the Plan

The objectives of this Citizen Participation Plan are to:

1. Provide citizens with adequate information on a timely basis concerning the amount of funds available for proposed community development and housing activities, the range of activities that may be undertaken, and other important project requirements;
2. Provide citizens an opportunity to (i) participate in the development of the application and encourage the submission of written views and proposals particularly by residents of blighted neighborhoods or citizens of low/moderate income; (ii) provide for timely responses to the proposals submitted; and (iii) schedule hearings at times and locations which permit broad participation;
3. Provide for public hearings to obtain the views of citizens on community development and housing needs and a timetable specifying when and how the objectives of this plan will be achieved;
4. Provide for timely and responsive answers to written complaints and give citizens an opportunity to submit comments concerning the county's community development performance;
5. Provide technical assistance on a timely basis through staff or other resources to citizen advisory groups, and upon request of groups of low/moderate income persons and groups of residents in blighted neighborhoods; and,
6. Assure record keeping to document that this plan has been followed in a manner to achieve full involvement of citizens in all stages of CDBG projects, and provide documents relevant to CDBG projects for public view.

Citizen Involvement

Citizen level of participation will be county-wide in scope. County-wide participation will be accomplished through public hearings and solicitation of written views and proposals. By this method, all citizens will be afforded an opportunity to present their housing and community development needs, suggestions, and comments on the county's past performance.

Citizen Access to Records

Pender County will provide for full and timely disclosure of information and CDBG project records consistent with 4 NCAC 19L, the North Carolina CDBG Program Regulations, Subchapter .0911. Such records and information relevant to the CDBG project will be made available in the Pender County Community Development Office, 805 S. Walker Street, Burgaw, North Carolina, during regular office hours for citizens' review. Documents to be made available include:

1. All mailings and promotional materials;
2. Records of public hearings;
3. All key documents such as prior applications, letters of approval, grant agreements, this plan, performance reports, progress reports, other reports and documentation required by the North Carolina Department of Commerce (DOC), and the proposed and approved application for the current year; and,
4. Copies of regulations and program bulletins governing the project.

Timely Information and Submission of Views and Proposals

The citizen participation process will begin approximately 90-120 days prior to the established deadline for submission of an application. The Pender Post, Burgaw, NC, and The Topsail Voice, Hampstead, NC, will be the primary media for dissemination of important project information. All advertisements for public notices will be published in these newspapers. At a minimum, the county shall provide adequate information to citizens, hold a public hearing at the initial stage of the planning process, hold a public hearing prior to submission of the application, and hold a public hearing prior to closeout of the project to provide an opportunity for citizens to comment on the county's CDBG performance. The purpose of the first public hearing at the planning stage of the application will be to disseminate program information, obtain citizen views on community development and housing needs, priorities, and comments on the county's past performance. A second public hearing will be held prior to the submission of the full application for additional written comments and review of the application. Persons wishing to object to the approval of an application by the North Carolina Department of Commerce (DOC) shall make such objection in writing. DOC will consider objections made only on the following grounds:

1. The county's description of the needs and objectives is plainly inconsistent with available facts and data;
2. The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the county; and,

3. The application does not comply with the requirements of Subchapter .1002 of the North Carolina Community Development Block Grant Program Regulations or other applicable laws and regulations.

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

Citizen participation in the project amendment process shall include the following:

1. When proposing amendments which require prior DOC approval in accordance with Subchapter .0910 (Program Amendments) of the North Carolina CDBG Program Regulations, the county will be required to hold one public hearing prior to the submission of the amendment to DOC;
2. The county shall respond to written citizen objections and comments within ten working days of receipt of the citizen comment;
3. Persons wishing to object to the approval of an amendment by DOC shall make such objection in writing. DOC will consider objections made only on the following grounds:
 - a. The county's description of the needs and objectives is plainly inconsistent with available facts and data;
 - b. The amendment to be undertaken is plainly inappropriate to meeting the needs and objectives identified by the county; and,
 - c. The amendment does not comply with the requirements of Subchapter .1002 of the North Carolina CDBG Program Regulations or other applicable laws and regulations.

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

Citizen participation in the project closeout process shall include the following:

1. When proposing the closeout of the CDBG project in accordance with Subchapter .0913 of the North Carolina CDBG Program Regulations, the county will be required to hold one public hearing to assess project performance during the closeout process and prior to the actual closeout of the grant; and,
2. The county shall continue to solicit and respond to written citizen objections and comments until such time as the project is closed.

Citizens shall have the opportunity to comment on the implementation of the project throughout the term of the project. The county shall solicit and respond to written views and proposals of citizens in writing within ten working days of receipt of the citizen comment. Citizen participation concerning project implementation and compliance shall include the following:

1. Persons may submit written comments to DOC at any time concerning the county's failure to comply with the requirements contained in the plan; and,
2. All records of public hearings, citizen comments, responses to comments and other relevant documents and papers shall be kept in accordance with Subchapter .0911 of the North Carolina CDBG Program Regulations.

All public hearings will be held in the Pender County Administrative Building, Burgaw, NC, or other buildings throughout the county as designated by the Board of Commissioners' approved meeting schedule, before the Pender County Board of Commissioners. Notice of the hearings will be given by advertisement once in the non-legal section of the local newspaper not less than 10 days nor more than 25 days before the date of the meeting. The advertisement will indicate the date, time, place, and procedures of the hearing and topics that will be considered. In the event that a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, the county will arrange to provide an interpreter at the hearing to ensure the participation of and dissemination of information to the non-English speaking persons. Public hearings will be held at times and locations convenient to actual or potential beneficiaries and will be held in facilities that are accessible to the handicapped.

Response to Proposals or Complaints

Written complaints received by the county during the implementation of the community development program will be handled in the following manner:

1. In the event of a contractual dispute, or a written complaint from a program recipient concerning the community development program, the Program Administrator shall respond to the parties in question in writing within ten (10) calendar days after receipt of a complaint or comment. The Program Administrator may refer the complaint/dispute to the Pender County Board of Commissioners for review. The Program Administrator shall provide a written statement of the finding of the Board of Commissioners to the parties in question within ten (10) calendar days after the Board of Commissioners review the issue during a public meeting.
2. If the citizen is dissatisfied with the local response, he or she may write to the North Carolina Department of Commerce, Commerce Finance Center, 4318 Mail Service Center, Raleigh, NC 27699-4318, Telephone (919) 733-5297. The Commerce Finance Center will respond only to written comments within ten (10) calendar days of the receipt of the comments.

Citizen Participation Plan Certification

Pender County hereby assures and certifies that a Citizen Participation Plan has been written and will be followed as required by federal law in Title I of the Housing and Community Development Act, Section 104(a)(3).

The county's Citizen Participation Plan accomplishes the following:

1. Provides for citizen participation, with particular emphasis on participation by persons of low/moderate income who are residents of slum and blighted areas, and provides for

participation of residents of low/moderate income neighborhoods as defined by local jurisdiction;

2. Provides citizens with reasonable and timely access to local meetings, information, and records relating to the county's proposed use of funds;
3. Provides for technical assistance to groups representative of persons of low/moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the county;
4. Provides for public hearings to obtain citizen views and to respond to proposals and questions to all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance. Hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped;
5. Provides for a timely answer to written complaints and grievances, within ten working days; and,
6. Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents are reasonably expected to participate.

Adopted this 8th day of September, 2009.

Jimmy T. Tate, Chairman

ATTEST:

Rick Benton, Clerk to the Board

PENDER COUNTY
FY2006 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ECONOMIC DEVELOPMENT (ED) PROGRAM
ENTREPRENEURIAL INCUBATOR (EI) PROJECT

LOCAL ECONOMIC BENEFIT FOR
LOW AND VERY LOW INCOME PERSONS PLAN

To insure that to the greatest extent possible contracts for work are awarded to business concerns located in 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, Pender County (hereinafter called the county) has developed and hereby adopts the following Section 3 Plan:

1. This Section 3 Plan shall apply to services needed in connection with the FY2006 CDBG Economic Development, Entrepreneurial Incubator grant including, but not limited to, businesses in the fields of planning, consulting, design, building construction/renovation, maintenance and repair, etc.
2. The Section 3 project area for the purpose of the FY2006 CDBG grant program shall include all of Pender County and Duplin County.
3. When in need of a service, the county will identify suppliers, contractors, or subcontractors located in the Section 3 area. Resources for this identification shall include the Minority Business Directory published through the State Department of Commerce, local directories and the Small Business Administration local offices. Word of mouth recommendations shall also be used as a source. Where deemed necessary, listings from any agency noted above shall be distributed to prime contractors as potential sources of subcontractors and suppliers.
4. The county will include required Section 3 clauses in all contracts executed under this CDBG-ED Program. Where deemed necessary, listings from any agency noted in No. 3 above shall be included as well as sources of subcontracts and suppliers.
5. The prime contractor selected for major public works construction work (if applicable) 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 Pender County and Duplin County Employment Security Commissions shall be notified and referred to the contractor.
6. All jobs will be listed through and hiring will be done through the local office of the North Carolina Employment Security Commission; all contracts will be listed with the North Carolina Division of Purchase and Contracts; potential employees and businesses may seek development and training assistance through various state and local agencies.
7. Early in the project, prior to any contracting, major purchases or hiring, the county will develop a listing of jobs, supplies and contracts likely to be utilized during the project. The county will advertise in a local newspaper. This

advertisement will be placed prominently in the newspaper as a display ad and contain the following information:

- a. A brief description of the project.
- b. A listing of jobs, contracts, and supplies likely to be utilized in carrying out the project.
- c. An acknowledgment that under Section 3 of the Housing and Community Development Act, local persons and businesses will be utilized for jobs, contracts, and supplies in carrying out the CDBG project to the greatest extent feasible.

Adopted this 8th day of September, 2009.

Jimmy T. Tate, Chairman

Attest:

Rick Benton, Clerk to the Board

PENDER COUNTY
FY2006 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ECONOMIC DEVELOPMENT (ED) PROGRAM
ENTREPRENEURIAL INCUBATOR (EI) PROJECT

EQUAL EMPLOYMENT AND PROCUREMENT POLICY

A. GENERAL EQUAL EMPLOYMENT AND PROCUREMENT POLICY

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

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

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

Responsibility for implementing equal opportunities and affirmative action measures is hereby assigned to the County Manager and/or other persons designated by the Pender County Board of Commissioners to assist in the implementation of this policy statement.

The county shall develop a self-evaluation mechanism to provide for periodic examination and evaluation. Periodic reports as requested on the progress of equal employment opportunity and affirmative action will be presented to the Pender County Board of Commissioners by the County Manager.

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.

B. PROCUREMENT POLICY FOR FEDERAL GRANT PROGRAMS

All procurement of goods and services by Pender County with CDBG grant funds shall be accomplished in accordance with the regulations of either Section 85.36 of 24CFR85, "Administrative Requirements for Grants and Cooperative Agreements to State, Local, and Federally Recognized Indian Tribal Governments," or the North Carolina General Statutes applying to procurement in general by North Carolina municipalities/ counties.

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

1. In all cases where goods or services are procured on the basis of one bid or proposal received, the county will follow established principles included in OMB

Circular A-87 to verify the reasonable cost of the procurement, and shall contact the state agency supervising the grant program before making any contract award on the basis of non-competitive negotiation.

2. Disadvantaged, women-owned, and minority-owned enterprises shall be included on bidders' or professional services' lists maintained by the county, and such firm(s) shall be solicited for all competitive negotiations, small purchases, and informal and formal bids when such firms are potential competitive sources for goods and services.
3. The county shall develop a written statement of work for each service to be awarded on the basis of competitive negotiation, which shall include descriptions of tasks to be completed, project timetables, and an outline of fee proposal requirements. The statement of work shall also include a written selection procedure. All competitive negotiations shall be awarded strictly on the basis of written selection procedures, and cost shall not be the sole or more important factor in selection of services through the use of competitive negotiation.
4. Prior to any contract award, the county shall verify the contractor's eligibility to participate in a federally-assisted program.
5. No consultant or bidder shall assist in evaluation of proposals or bid packages for contracts in which that consultant or bidder has an indirect or direct interest. The county shall adhere to all applicable federal and state conflict of interest regulations in making contract awards.
6. The county shall request references, or check references, of contractors or firms who are awarded contracts with federal grant funds, and will request a written warranty for all goods and services provided through small purchase requests.
7. The county shall not award any contracts for federally-assisted projects on a contingency or cost plus percentage of cost basis.

Adopted this 8th day of September, 2009.

Jimmy T. Tate, Chairman

ATTEST:

Rick Benton, Clerk to the Board (SEAL)

CDBG.P.08.2

PENDER COUNTY
FY2006 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ECONOMIC DEVELOPMENT (ED) PROGRAM
ENTREPRENEURIAL INCUBATOR (EI) PROJECT

POLICY CONCERNING CODE OF CONDUCT FOR OFFICERS, EMPLOYEES OR AGENTS

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF PENDER COUNTY:

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

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

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

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

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

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

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

Adopted this 8th day of September, 2009.

Jimmy T. Tate, Chairman

ATTEST:

Rick Benton, Clerk to the Board (SEAL)

CDBG.P.09

PENDER COUNTY
FY2006 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ECONOMIC DEVELOPMENT (ED) PROGRAM
ENTREPRENEURIAL INCUBATOR (EI) PROJECT

FAIR HOUSING POLICY

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

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

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

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

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

1. Any person or persons wishing to file a complaint of housing discrimination in Pender County may do so by informing the Pender County Manager at (910) 259-1200, or N.C. Human Relations Commission (919) 733-7996, TDD# (919) 733-7996 (or Relay North Carolina TT# 1-800-735-2962) of the facts and circumstances of the alleged discriminatory act or practice;
2. Upon receiving a housing discrimination complaint, the Pender County Manager shall inform the North Carolina Human Relations Commission about the complaint within ten (10) calendar days. The county shall then assist the Commission and the complainant in filing an official written housing discrimination complaint with the Commission, pursuant to the State Fair Housing Act and Title VIII.
3. Pender County shall offer assistance to the Commission in the investigation and conciliation of all housing discrimination complaints which are based upon events occurring in the county.
4. The Pender County Manager shall publicize within the county that he is the local official to contact with housing discrimination complaints.

Adopted this 8th day of September, 2009.

Jimmy T. Tate, Chairman

ATTEST:

Rick Benton, Clerk to the Board (SEAL)

PENDER COUNTY

FY06 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ECONOMIC DEVELOPMENT (ED) PROGRAM
ENTREPRENEURIAL INCUBATOR (EI) PROJECT

DESIGNATION OF LABOR STANDARDS ENFORCEMENT OFFICER.

To ensure that all public works construction activities included in the county's FY06 CDBG-ED Entrepreneurial Incubator project are completed with due attention to all federal labor standards regulations, Pender County hereby designates Chip Bartlett, Project Manager with Holland Consulting Planners, Inc., as Labor Standards Enforcement Officer for its FY06 CDBG Economic Development, Entrepreneurial Incubator Project.

RESOLVED this 8th day of September, 2009.

Jimmy T. Tate, Chairman

ATTEST:

Rick Benton, Clerk to the Board