



## REQUEST FOR BOARD ACTION

ITEM NO. 9.

**DATE OF MEETING:** January 7, 2013

**REQUESTED BY:** Judith Herring, Housing Director

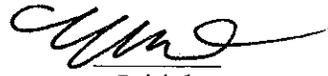
**SHORT TITLE:** Resolution Approving the Project Ordinance Request and Anti-displacement and Relocation Plan for the NC Tomorrow Plan

**BACKGROUND:** The County has received \$50,000 in CDBG grant funds for the NC Tomorrow program. The Board previously voted to allow the County to act as host for this program which will be administered by Cape Fear Council of Governments. This is a housekeeping resolution to approve the Project Ordinance for the Grant and the Anti-displacement and Relocation Plan for the grant that should have been done at inception of the grant. The State requires these items to be approved before the grant can be closed. This was a planning grant and not displacement or relocation of Citizens occurred during the course of the grant.

**SPECIFIC ACTION REQUESTED:** To consider a resolution approving the Project Ordinance Request and Anti-displacement and Relocation Plan for the NC Tomorrow Plan as required by the NC Department of Commerce.

**COUNTY MANAGER'S RECOMMENDATION**

Respectfully recommend approval.



Initial

**RESOLUTION**

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

the Project Ordinance Request and Anti-displacement and Relocation Plan for the NC Tomorrow Plan as required by the NC Department of Commerce for the NC Tomorrow Plan is hereby approved. The Chairman and/or the County Manager are authorized to sign all documents as required to satisfy the grant requirements. The Chairman/County Manager are authorized to execute any/all documents necessary to implement this resolution.

**AMENDMENTS:**

MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ UNANIMOUS

YEA VOTES: Brown \_\_\_ McCoy \_\_\_ Tate \_\_\_ Ward \_\_\_ Williams \_\_\_

\_\_\_\_\_  
George R. Brown, Chairman 1/7/13  
Date

\_\_\_\_\_  
ATTEST 1/7/13  
Date

**PENDER COUNTY  
FY2011 COMMUNITY DEVELOPMENT BLOCK GRANT  
NORTH CAROLINA TOMORROW PLANNING GRANT 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 FY2011 Community Development Block Grant North Carolina Tomorrow (NCT) project described in the work statement contained in the grant agreement (11-C-2279) between Pender County and the North Carolina Department of Commerce. This project is more familiarly known as the Pender County NC Tomorrow Project.

Section 2. 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:

C-1: Pender County FY11 NC Tomorrow Project

CDBG Grant	\$50,000
Total Project Resources	\$50,000

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

C-1: Pender County FY11 NC Tomorrow Project

Project Budget	\$50,000
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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 council.

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 7<sup>th</sup> day of January 2013.

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George Brown, Chairman  
Pender County Board of Commissioners

ATTEST:

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Dr. Mickey Duval, Clerk to the Board

**PENDER COUNTY**  
**RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

In accordance with requirements of the Housing and Community Development Act of 1974, hereinafter referred to as "the Act", as amended, Pender County hereby certifies that it shall adhere to the following guidelines and procedures to minimize adverse impacts from residential displacement required as a result of programmed activities in any new or on-going CDBG related projects or programs.

- 1) Pender County will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.488.

For the CDBG programs, the term "vacant occupiable" or "suitable for rehabilitation" means a unit which is no worse than moderate according to the needs gradient scale published in the Application Guidelines, may be brought up to Section 8 HQS for an expenditure of less than \$4,000 in rehabilitation costs, and will have an expected useful life of at least 10 years with routine maintenance upon completion of the rehabilitation. In addition, a vacant unit may be classified as "not occupiable" if it has been condemned, is condemnable or otherwise unsuitable for human habitation under the local government's housing code or redevelopment plan.

For occupied units, "low and moderate-income dwelling unit" means a unit that either is occupied by a low or moderate income family, or rents for an amount that would be affordable to a low or moderate income family (that is, rent and utilities would not exceed 30% of the gross monthly income of a family that would occupy the unit without overcrowding).

For vacant units, a "low-moderate income dwelling unit" means a unit whose fair market rent would make it affordable to a low or moderate income family, as calculated above.

- 2) All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the county will make public and submit to the Office of Community Investment and Assistance (CI) the following information in writing:
  - a. A description of the proposed assisted activity;
  - b. A general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
  - c. A time schedule for the commencement and completion of the demolition or conversion;
  - d. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
  - e. The source of funding and a time schedule for the provision of replacement dwelling units; and

- f. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy.
- 3) The county will provide relocation assistance, as described in 24 CFR 570.488, to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities.
- 4) Consistent with the goals and objectives of activities assisted under the Act, the county will take the following steps to minimize the displacement of persons from their home:
  - a. The county will avoid demolition of occupied, severely deteriorated residential structures where possible through substantial rehabilitation as opposed to clearance.
  - b. The county will attempt to locate comparable replacement housing in or near the neighborhood where demolition activities occur to further minimize neighborhood disruption caused by clearance activities.

Adopted this 7th day of January, 2013.

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George Brown, Chairman  
Pender County Board of Commissioners

ATTEST:

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Dr. Mickey Duvall, Clerk to the Board

**Residential Antidisplacement and  
Relocation Assistance Certification**

I hereby certify that Pender County has adopted and is following a written Residential Antidisplacement and Relocation Assistance Plan that conforms with the requirements of Section 104(d) of the Housing and Community Development Act of 1974, as amended, as detailed in CPD Notice 88-33.

George Brown, Chairman, Pender County Board of Commissioners  
Name and Title of Certifying Official

\_\_\_\_\_  
Signature of Certifying Official

Date