

City of High Shoals
Regular Council Meeting
May 14, 2024

- Call to Order
 - Mayor PJ Rathbone called to order the May 14, 2024, meeting. In attendance are the following council members: Denese Cook, Bo Rhyne, Bobby Vassey, and Kathy Rhyne. Councilmen Dennis Cash and Tim Eidson were absent.
- Invocation
- Pledge of Allegiance
- Approval of Agenda
 - Motion to approve agenda made by Denese Cook, seconded by Bo Rhyne, all in favor.
- Approval of Minutes
 - Motion to approve minutes made by Kathy Rhyne, seconded by Bobby Vassey. All in favor.

Citizens' comments/concerns: The City of High Shoals Council offers citizens the opportunity for Public Expression issues per NCGS 160A-81.1 (limited to 3-5 minutes per speaker).

No one signed up for citizens comments; however, Ms. Judy Taylor stated that Tim Eidson did well on the ditch/trench at her house.

Good of the Order: This is a time set aside for members to offer comments or observations (without formal motion) about the organization and its work. The good of the order is also the time to offer resolution to bring disciplinary charges against a member for the offenses committed outside a meeting.

- *Departmental Reports:*
 - Police Report-Gaston County
 - Financial-Dennis Cash
 - Financials: Checking 1: \$416,914.82 Checking 2: \$ 11,113.69 Savings: \$160,598.90
 - Capital Management \$47,536.63 Total: \$636,164.04
 - Cemetery-Denese Cook
 - Looked wonderful for Mother's Day.
 - Working on
 - Water/Sewer-Bo Rhyne
 - No updates
 - Streets/Maintenance/Sanitation-Kathy Rhyne
 - No reports for neither streets nor sanitation
 - Parks/Recreation-Bobby Vassey
 - Yard of the Month: 130 Church Street –
 - Sandra Ramsey
 - Vehicles- Tim Eidson
 - The small pickup truck started skipping badly, it is now at the shop. We received one of our new vehicles, which is in service at the moment. The vinyl will be put on when Mr. Baxter comes back from vacation.
 - Administration/Mayor Report-PJ Rathbone
 - We need to follow up and schedule another meeting with the Brownfield project.

○ **Open Public Hearing for CDBG Water System Replacement Phase 2:**

The Mayor asked for a motion to open the public hearing regarding the City of High Shoals Water System Replacement Phase 2 project application. A motion was made to go into public hearing by Denese Cook. The motion was seconded by Kathy Rhyne. All approved.

The High Shoals City Council held a public hearing on May 14, 2024, for providing explanation and description of the FY 2023 North Carolina Department of Environmental Quality (DEQ) Community Development Block – Infrastructure Grant (CDBG-I). The members present were P.J. Rathbone, Mayor, Denese Cook, Kathy Rhyne, Bobby Vassey and Bo Rhyne.

Steve Austin, grant administrator, was present to discuss the purpose of the public hearing for the City of High Shoals' CDBG-I funding application. Mr. Austin stated that the purpose of the public hearing was to obtain citizen's views and to respond to funding proposals and answer any questions posed by citizens. Mr. Austin also stated that the public hearing must cover the City's community development needs, development of the proposed activities, and a review of program compliance before the submission of the City's CDBG-I funding application to the state of the North Carolina.

The City proposes requesting funding from NCDEQ'S CDBG-I program for the City of High Shoals Water System Replacement Phase 2 Project. The proposed project will meet the following community and housing needs of City by applying for funds to install approximately 2,950 LF of 12" water lines and appurtenances along River Street within the City serving approximately 36 single family dwellings.

The purpose of the CDBG-I grant program is to improve the quality of life for low to moderate income people by providing a safe, clean environment and clean drinking water through water and sewer infrastructure improvements and extensions of service.

- To benefit a residential area where at least 51% of the beneficiaries are low to moderate income as defined by the United States Department of Housing and Urban Development.
- To perform eligible activities.
- To minimize displacement, and
- Provide displacement assistance as necessary.

For the fiscal year of 2023 the CDBG-I funding available is expected to be approximately \$20 million, and each the maximum available grant \$3.0 million over a 3-year period. Applications for funding are received October 2, 2023.

The CDBG program is able to fund a wide variety of community development activities. The State of North Carolina has chosen to fund several activities: water and sewer infrastructure, neighborhood revitalization, COVID-19 related projects, and economic development projects that lead to job creation or retention. The infrastructure program, or CDBG-I program can fund a range of water and sewer infrastructure and economic development activities, including, but not limited to the, following:

Water:

- Projects that resolve water loss in distribution systems.
- Projects that extend public water to areas with contaminated wells.
- Projects that extend water lines to areas with dry wells.
- Projects that assist with low water pressure in public water systems.
- Projects that regionalize two or more water systems.
- Project that rehabilitates or replaces a water treatment plant.

Wastewater:

- Projects that resolve inflow and infiltration to collection systems and surcharges from pumps stations and manholes.
- Projects that extent public sewer to areas with failed septic tanks.
- Projects that rehabilitate a wastewater treatment plant to allow for greater efficiency/compliance with regulations.

The City is seeking an amount in CDBG-I funds not to exceed \$1,703,309 for the City of High Shoals Water System Replacement Phase 2 Project. The purpose of the City's request is to funds to install approximately 2,950 LF of 12" water lines and appurtenances along River Street within the City serving approximately 36 single family dwellings.

The project proposed by the City was identified in the High Shoals Capital Improvement Plan/Asset Management Plan adopted in March 2023. Informal community meetings were held in the project area to inform citizens of the potential project and get feedback from the residents.

A total of 100% of the CDBG- I funding will be used to benefit Low to Moderate Income (LMI) people. The project area in the City has been determined to have a LMI of 90.32%. The project area includes the entire length of River Street from its northern intersection with N. Lincoln Street to a connection with the existing water line and the southern end of River Street at S. Lincoln Street, High Shoals, NC as shown on the attached map.

The range of activities covered by the CDBG-I funds for the City of High Shoals Water System Replacement Phase Two Project includes:

- Construction.
- Environmental Review
- Engineering Design
- Construction Administration and observation.
- Legal activities.
- Surveying.
- Grant Administration.

If the City of High Shoals is awarded a CDBG-I grant, the town is required to adhere to federal procurement requirements and other federal regulations which include:

- American with Disabilities Act/Section 504 Survey
- Davis-Bacon & Related Labor Acts
- Adoption/Submittal of a Citizen's Participation Plan
- Adoption/Submittal of an Equal Opportunity Plan
- Adoption/Submittal of a Fair Housing Plan
- Adoption/Submittal of a Language Access Plan
- Adoption/Submittal of a Relocation Assistance Plan
- Adoption/Submittal of a Section 3 Plan
- Excess Force Provision

The State of North Carolina requires that if the City of High Shoals receives CDBG grant funding that the city will certify that they will comply with the requirements of the general displacement and relocation policy for CDBG grant funding. This policy assists low to moderate income people with costs associated with relocation or displacement, should such relocation become necessary due to the project activities. CDBG funds can be used for those costs, if necessary. **However, no displacement and relocation will occur as a result of the proposed CDBG grant activity.**

In the past, the Town/City/County has applied for and received for the following completed CDBG project:

- List Name of Projects:

- 1). CDBG #05-D-2094 was awarded in 2010 in the amount of \$750,000 to install 4,000 LF of 8" gravity sewer lines to serve 52 homes. Gaston County provided \$37,500 in local matching funds on behalf of the City to this project. The project was closed by the NC Division of Community Assistance in 2013. There were no monitoring issues or findings for the project.
- 2) CDBG-I #16-I-2920. The City was awarded \$1,594,905 by the NC Division of Environmental Quality, Water Infrastructure Division to replace approximately 6,900 linear feet of existing obsolete sewer lines with 8" gravity sewer lines, the installation of 540 linear feet of new 8" gravity sewer lines to eliminate failed septic tanks and to resolve and prevent further health and safety issues caused by sewage backups into private homes. This project served 110 homes. The project was closed by the NC Department of Environmental Quality in December 2020. There were no monitoring issues or findings for the project.
- 3) In 2017, the City was awarded \$750,000 by the NC Department of Commerce Rural Economic Development Division (REDD) under the Neighborhood Revitalization category, (CDBG #17-C-3025). Through the project, the City was able to rehabilitate eight (8) single family owner-occupied homes and make needed repairs to the High Shoals City Park concession stand and restrooms. The project is completed, and close-out documents were submitted to REDD on June 16, 2022.
- 4) In 2019, the City was awarded \$1,996,086 by the NC Division of Environmental Quality, Water Infrastructure Division (CDBG #19-I-3105) to replace approximately 6,190 linear feet of existing 6", 8" and 12" water lines within the City. The project serves 68 single family homes. The construction of that project is completed, and the City has submitted its close out documents and reports. The project has been monitored once with no findings. One concern regarding the completeness of two employee interview forms was noted and corrected.

5) In December 2022, the City was awarded \$950,000 by the NC Department of Commerce Rural Economic Development Division (REDD) under the Neighborhood Revitalization category, (CDBG #21-C-4014) to rehabilitate approximately four owner-occupied single-family homes and provide one-for-one replacement for one home. The project is still in the process and is on schedule.

6) In April 2024, the City was awarded \$950,000 in CDBG funds from the NC Department of Commerce Rural Economic Development Division (REDD) under the Neighborhood Revitalization category, (CDBG #22-C-4125) to rehabilitate five (5) single family owner-occupied homes within the City. That project is in its start-up phase.

The City will submit its CDBG-I application for the City of High Shoals Water System Replacement Phase 2 CDBG-I project on October 2, 2023. The CDBG-I application is available for review during normal business hours at High Shoals City Hall, 101 Thompkins Street, High Shoals, NC. Additional information is available from Mayor P.J. Rathbone at (704) 735-1651 or at pjrathbone@cityofhighshoals.net.

Should there be any complaints or grievances regarding the subject public hearing, they should be addressed to the addressee mentioned above within fifteen (15) business days or by May 29, 2024, and a written response to the written complaints and/or grievances will be sent by the City within fifteen (15) business days, where practicable.

The Mayor asked if anyone in the audience had any questions, comments, or concerns regarding the CDBG-I application. There were none.

A motion was made by Kathy Rhyne to close the public hearing. The motion was seconded by Denese Cook. All approved.

○ *Old Business:*

- Discussion/Action: Dallas Water Agreement
 - Denese Cook moved to motion to adopt the Dallas Water Agreement as written, seconded by Bo Rhyne, all in favor.

STATE OF NORTH CAROLINA

WATER PURCHASE CONTRACT GASTON

COUNTY

THIS CONTRACT for the sale and purchase of water is entered into as of the _____ day of _____, 2023, between the TOWN OF DALLAS (hereinafter referred to as "Seller"), and the CITY OF HIGH SHOALS, (hereinafter referred to as "Purchaser").

WITNESSETH:

WHEREAS the Purchaser is a municipal corporation duly organized and existing under the laws of the State of North Carolina; and

WHEREAS the Seller is a municipal corporation duly organized and existing under the laws of the State of North Carolina; and

WHEREAS, the Purchaser, among its other functions, operates a water supply and distribution system serving water users within its boundaries, and is in need of an additional supply of treated water and

WHEREAS the Seller owns and operates a water supply and distribution system; and

WHEREAS, the Seller currently has available excess capacity of treated water sufficient to supply the request of the Purchaser as set forth in this contract and to satisfy the present and anticipated needs of its customers; and

WHEREAS the Seller desires to sell to Purchaser and Purchaser desires to buy from Seller a supply of potable water as set forth herein: and

WHEREAS, the Seller and the Purchaser have agreed upon certain terms regarding the sale of water as mentioned above, and now desire to set forth the terms of their agreement, as noted in the Memorandum of Understanding adopted by the governing boards of the Seller and Purchaser on August 8, 2023; and

WHEREAS, by motion adopted by the Town of Dallas Board of Alderman at its meeting on the _____ the day of _____, 2023, the sale of said water to the Purchaser as provided herein was approved, and the execution of this Contract by the Seller was duly authorized; and

WHEREAS, by motion adopted by the City of High Shoals Council Officers at its meeting on _____ the day of _____, 2023, the purchase of said water from the Seller as provided herein was approved, and the execution of this contract by Purchaser was duly authorized;

NOW THEREFORE, in consideration of the foregoing and the mutual agreements hereinafter set forth, the parties agree as follows:

A. SELLER'S OBLIGATIONS:

- 1) **(Quality and Quantity)** Subject to the remaining provisions of this contract, Seller shall furnish to the Purchaser at the point of delivery hereinafter specified, during the term of this contract or any renewal or extension thereof, potable treated water meeting applicable purity standards of the State of North Carolina, Rules Governing Public Water Systems, 15 NCAC 18C, in such quantity as may be required by the Purchaser not to exceed Three Hundred Thousand (200,000) gallons per day. The annual minimum is Thirty-Five Thousand (35,000) gallons per day, averaged over the preceding year or Twelve Million Seven Hundred Seventy-Five Thousand (12,775,000) gallons per year. For purposes of this Paragraph A.1, a "year" is defined as July 1st through June 30th. If Purchaser fails to purchase the required annual minimum, and no restrictions on the purchase of water have been imposed by Seller during such year, then Purchaser shall nevertheless be obligated to pay to Seller the difference between the amount paid by Purchaser for the water actually purchased during that year and the amount that Purchaser would have been obligated to pay had Purchaser purchased the 12,775,000 gallons minimum for the year.
- 2) **(Point of Delivery and Pressure)** Seller shall furnish water at a reasonably constant pressure from an existing main supply line owned by Seller. The point of delivery shall be at a meter facility owned by Seller. If a greater pressure than that normally available at the point of delivery is required by the Purchaser, the cost of providing such greater pressure shall be borne by the Purchaser. Emergency failures of pressure, supply, or water quality due to main supply line breaks, power failure, water source contamination, flood, drought, fire and use of water to fight fire, earthquake or other cause beyond the control of the Seller shall excuse the Seller from this provision for such reasonable period of time as may be necessary to restore service.
- 3) **(Metering Equipment)** The metering equipment owned by Seller shall be read by Seller monthly. An appropriate official of the Purchaser shall have access at all reasonable times to the meter for the purpose of verifying its readings. Water sampling stations should be provided on both sides of the water meter. In case a dispute occurs between buying and selling water systems on water quality, samples can be collected from both sides of the purchase meter. Periodic sampling on each side of the meter shall be conducted by the Purchaser and Seller on their respective side of the meter, the cost of sampling shall be borne by sampling party.
- 4) **(Billing Procedure)** The Seller shall provide to the Purchaser, at the first of each month, an itemized statement of the amount of water furnished the Purchaser during the preceding month. Water bills are due within 15 days from the date of the current bill. Water bills are considered past due after 25 days from the date of the current bill. Late fees and penalties will apply based on the Seller's current fee schedule. If payment is not received by the Seller by the 15th of the following month, this shall constitute a material breach of this contract, and Seller may terminate this contract as provided in Paragraph C.6.

B. PURCHASER'S OBLIGATIONS:

- 1) **(Rates and Payment Dates)** See above A.4 for payment dates and penalties. The initial bulk rate shall be \$5.15 per \$1,000 gallon. The annual minimum total payout will be calculated using minimum gallons and the effective rate per 1,000 gallons for the effective fiscal year.

a. ANNUAL RATE ADJUSTMENTS

- i. The Seller will annually adjust the rate per thousand gallons sold to the purchaser at the same percentage rate as its regular in-town rate paying customer.
 - ii. The Seller will adjust the annual minimum total payout at the same percentage rate of adjustment as its regular in-town rate paying customer. If regular in-town rates increase/decrease by a certain percentage, the minimum total payout will increase/decrease at the same percentage rate.
- 2) **(Water Availability)** For amounts above 200,000 gallons per any given day during this contract, the

Purchaser will need to have availability approved in advance by the Town Manager of the Town of Dallas. In the event the Seller finds it necessary to go elsewhere to purchase water, which Seller then re-sells to Purchaser, the Purchaser agrees to pay ten percent (10%) above the Seller's cost or Purchaser shall have the option to suspend the contract until sufficient water is available.

- 3) **(System Development Fees)** The Purchaser shall be assessed Town of Dallas system development fees in accordance with the most current adopted fee schedule, for any new or increased services.

C. IT IS FURTHER AGREED BETWEEN THE SELLER AND THE PURCHASER AS FOLLOWS:

- 1) **(Term of Contract)** That this Contract shall extend for a term of Twenty (20) years from the date of adoption of this Contract between the Seller and Purchaser by both parties and, thereafter may be renewed or extended for such term, or terms, as may be agreed upon by the Seller and Purchaser and shall supersede any existing water purchase contract between the parties. This contract will automatically extend for One (1) additional Five (5) year term unless either the Seller or Purchaser within one hundred eighty (180) days of the renewal date decide to make changes to or terminate the contract. Any changes to or termination notice are only valid if received by the other party in writing. For clarification of the one hundred eighty (180) day rule, if the renewal date is July 1st, then any notice to change or terminate would have to be received by the other party on or before December 31st.
- 2) **(Emergency Services)** That Seller and Purchaser shall endeavor to provide such quantities of water each to the other as may be needed in the case of emergency water needs, such as water source contamination, production facility failure, natural disaster, or other catastrophe. The cost of such water shall be at the rate described in Paragraph B.1
- 3) **(Failure to Deliver)** The Seller will, at all times, operate and maintain its system in an efficient manner and will take such action as may be necessary to furnish the Purchaser with quantities of water required under the terms of this Contract by the Purchaser. Temporary or partial failure to deliver water shall be remedied with all possible dispatch. Notwithstanding the foregoing, Seller retains the right to restrict the amount of water it furnishes under this contract. In the event of an extended shortage of water, or the supply of water available to the Seller is otherwise diminished over an extended period of time, the supply of water to Purchaser shall be reduced or diminished in the same ratio or proportion as the supply to Seller's consumers is reduced or diminished. The Purchaser shall, upon written notice from the Town Manager of the Town of Dallas, shall initiate water shortage conservation measures in accordance with the Seller's Ordinances and Plans.
- 4) **(Catastrophic Malfunction)** The seller shall not be liable for its failure to furnish water pursuant to the terms of this Agreement in the event of a catastrophe, act of God, or a malfunction of its water system which interrupts the seller's ability to supply water pursuant to this Agreement.
- 5) **(Modification of Contract)**. That the provisions of the contract may be modified or altered by mutual written agreement of the parties.
 - a. **(Public Notice)** When violations affect purchase water systems, then the purchase water system is required to give public notice to its own customers by 15A NCAC 18C .1523. The City of High Shoals shall ensure delivery of said public notice to their customers and pay for said public notice.
 - b. **(Termination)** This contract may be terminated, for cause, by the non- breaching party notifying the breaching party of a substantial failure to perform in accordance with the provisions of this contract and if the failure is not corrected within ten (10) days of the receipt of the notification. Upon such termination, the parties shall be entitled to such additional rights and remedies as may be allowed by applicable law. Termination of this contract shall not form the basis of any claim for loss of anticipated profits by either party.
- 6) **(Notices)**. Any notice required to be given hereunder by Seller to Purchaser shall be made by Seller in

writing and mailed by first class mail, hand delivered, or transmitted by facsimile to the Mayor, City of High Shoals at the following address: Post Office Box 6, High Shoals, North Carolina 28077, or by facsimile to 704-735-5595. Notice shall be effective upon receipt. Any notices required to be given hereunder by Purchaser to Seller shall be made by Purchaser in writing and mailed by first class mail, hand delivered, or transmitted by facsimile to the Town Manager, Town of Dallas, 210 N. Holland Street, Dallas, North Carolina 28034; or by facsimile to 704-922-4701. Notice shall be effective upon receipt.

- 7) **(Regulatory Agencies)** This contract is subject to such rules, regulation, or laws as may be applicable to similar agreements in this State, and Seller and Purchaser will collaborate in obtaining such permits, certificates, or the like, as may be required to comply therewith.
- 8) **(Governing Laws)**. This contract shall be governed by and in accordance with the laws of the State of North Carolina. All actions relating in any way to this contract shall be brought in the General Court of Justice in the County of Gaston and the State of North Carolina.

It is understood and agreed to by the Seller and Purchaser that implementation his contract is totally dependent on construction/completion of the Project to extend Town of Dallas water infrastructure to serve the City of High Shoals, as noted in the Interlocal Agreement for Construction of Water Infrastructure between Gaston County, the Town of Dallas, and the City of High Shoals adopted _____, 2023. As also noted in that Agreement, this project is to be totally funded by Gaston County.

IN WITNESS WHEREOF, the parties hereto, acting under the authority of their respective governing bodies, have caused this contract to be duly executed in duplicate counterparts, each of which shall constitute an original.

The rest of this page is left intentionally blank

Executed by the Town of Dallas this the day of , 2024.

TOWN OF DALLAS

BY: _____
Hayley Beaty, Mayor

ATTEST:

Sarah Ballard, Town Clerk

Executed by the City of High Shoals, this the day of , 2024.

CITY OF HIGH SHOALS

BY: _____
PJ Rathbone, Mayor

ATTEST:

Brandi Strange
Brandi Strange, City Clerk

Pre-Audit Certification

This instrument has been through preaudit in the manner required by the Local Government Budget and Fiscal Control Act.

Town of Dallas Finance Officer

Brandi Strange
City of High Shoals Finance Officer

○ *New Business:*

- Discussion/Action: Becky Veazey: M.A.P.S.
 - Ms. Becky Veazey is from Management and Personnel Services.
 - She will go through a pay plan, classifications, and a binder for you to go through. The contract is through the NC League of Municipalities. Ms. Veazey was Cary's first HR Director. She has been working with local governments in North Carolina (225) and every county in the state. When we talk about classification and pay study. The first is the duties in the job and how they compare in another job and are the different in the ranking of the jobs. What's an appropriate title for the job. Jobs change and you would want to update it at least every five years. Public works would be storm water, lawn maintenance, and utilities would be like the water and sewer.
 - Obviously, this will help with being competitive and recruiting and maintaining and keeping employees. The job description will help with interviewing and reference questions. The internal with equal pay with equal work. It will be defensible in the legal sense and based on professional methodology.
 - Jobs change over time with technology, adding services, reorganizing when things change. Moving pay up over time with the average inflation but some may go up slower or quicker with the inflation trends of COLA.
 - We had each employee who was on staff at the time to understand the job duties to put them in a competitive salary range. Typically, she said that she sends a draft back when it's a manager-type of government. The only time we put them in the same classification is if the similarities of the job duties are congruent. The most important distinction is the difference between the employee and the position. We study jobs, not people. This represents the work that must be done.
 - Most frequently misunderstood of classification. Hypothetically, we had 3-meter readers, averaged reading different volumes of meters. We'd look at if the duties were the same or different. You have to consider if one is just reading meters, one is reading and fixing boxes, one is reading, fixing boxes, and fixing lines. These would be three separate classifications. Employee work performance has nothing to do with this study.
 - There are 4 components to pay. The first one is the main focus is creating the basic pay plan. This is the infrastructure of the HR system. When those are under classified or under market, we recommend a "catch-up". Once we get to the point, we will get to the point where we can phase in over the years. The second is a cost-of-living adjustment/market adjustment to keep up with the system so you won't be getting further behind. This is intended to keep up in between studies. If you don't do that, then you can lose your employees and it costs more to the city (66%-125%) to replace. It is a philosophy of the city and I put in the merit pay so you can have language for the council can decide upon. The final is longevity pay, which is thanking the employee for staying with us. In North Carolina, they combine the Christmas Bonus as longevity bonus.
 - There are Pay Grades and Hiring Rates Minimum, Midpoint, and a Max. The grades represent the job. Ms. Veazey did state that in 235 cities and every county in the state, she has never come across a "City Clerk" acting as every role for the City. She expressed to change the title to City Administrator, though said that this title does not include that of the financial aspects as well.
 - Compression causes a hiring issue and morale issue. Both can lead to an expensive turnover.

- Ms. Veazey provided each council member a copy of the classification, pay scale structure, and an updated personnel manual. She provided the council with valuable information of being able to put the salary measurements and the proper structure in place for the employees.
- PJ recommended to the council that they each take the book home, highlight issues, questions, anything of that nature, so that we can make any changes, corrections, or have Ms. Veazey elaborate and answer said questions before we go over it as a group and adopt the manual.
- Discussion/Action: CDBG 2022 Policies, Procedures, Plans, Resolutions & Ordinances Packet



MAYOR
P.J. Rathbone

P.O. Box 6, High Shoals, N.C. 28077
Tel: (704) 735-1651 - Fax: (704) 735-5595

CLERK
Brandi Strange

May 10, 2024

MEMORANDUM

TO: P.J. Rathbone, Mayor
City Council
FROM: Steve Austin
SUBJECT: 2023 Community Development Block Grant Public Hearing
High Shoals Water System Replacement Phase 2 CDBG-I Project

The City of High Shoals has been notified that it has been awarded \$1,703,309 in Community Development Block Grant – Infrastructure funds for the High Shoals Water System Replacement Phase 2 project. This project will install approximately 2,950 LF of 12" water lines and appurtenances along River Street serving 36 single family homes within the City.

However, the NC Department of Environmental Quality is requiring that the City re-conduct its application public hearing so that the attached description/script of the project be included. It has recently been discovered that all the cities and town that were awarded this grant must do the same thing.

The public hearing has been published in the Gaston Gazette. No action is required by the Council other than to receive and record citizen comments, if any. The attached script must then be included word for word in the minutes of the meeting for approval next month.

Please note that the City has been awarded the funds. This public hearing requirement is simply a step required by the staff at the NC Department of Environmental Quality.

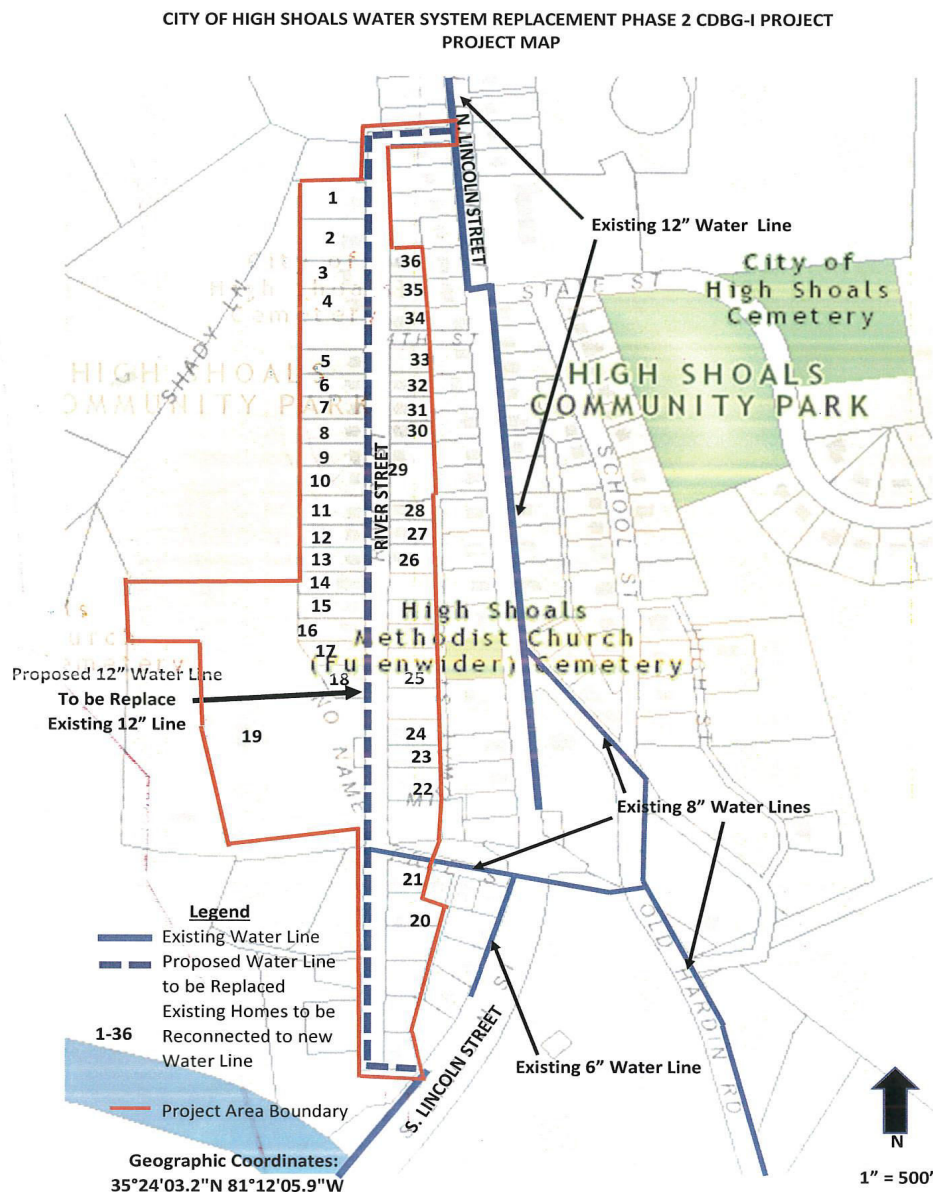


The City of High Shoals does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services

- Received another grant of \$950,000 for revitalization grant. These are the same policies & procedures that we always go by at each grant acceptance.
- Policies & Procedures for the CDBG #22-C-4125
- Recipient's Plan to Further Fair Housing
- Compliance Procedure's, Reporting, and Monitoring
- Fair Housing Resolution
- CDBG Project Budget Ordinance
 - The benefit is to the house. To make the house viable for at least another twenty years. That's why towns usually pick older people. It's to help build wealth in the families. We've several applications that perhaps there should be a committee that goes into the house to

agree to recommend.

- Denese Cook made the motion to adopt all of the CDBG resolutions and ordinances, seconded by Kathy Rhyne. All in favor.





MAYOR
P.J. Rathbone

P.O. Box 6, High Shoals, N.C. 28077
Tel: (704) 735-1651 - Fax: (704) 735-5595

CLERK
Brandi Strange

May 14, 2024

City of High Shoals

This public hearing on May 14m 2024, will provide an explanation and description of the FY 2023 North Carolina Department of Environmental Quality (DEQ) Community Development Block – Infrastructure Grant (CDBG-I).

We are present to discuss the purpose of the public hearing for the City’s CDBG-I funding application. The purpose of the public hearing is to obtain citizen’s views and to allow response from the public to funding proposals and answer any questions posed by citizens.

This public hearing will cover the City’s community development needs, development of the proposed activities, and a review of program compliance before the submission of the City’s CDBG-I funding application to the state of the North Carolina.

The City of High Shoals proposes to request funding from NCDEQ’S CDBG-I program for the City of High Shoals Water System Replacement Phase 2 CDBG-I Project. The proposed project will meet the following community and housing needs of the City of High Shoals by applying for funds to install approximately 2,950 LF of 12” water lines and appurtenances along River Street within the City serving approximately 36 single family dwellings.

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- To benefit a residential area where at least 51% of the beneficiaries are low to moderate income as defined by the United States Department of Housing and Urban Development.
- To perform eligible activities.
- To minimize displacement, and
- Provide displacement assistance as necessary.

For the fiscal year of FY 2023 the CDBG-I funding available is expected to be approximately \$20 million. The maximum available grant is \$3.0 million over a 3-year period. Applications for funding will be received October 2, 2023.

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revitalization, COVID-19 related projects, and economic development projects that lead to job creation or retention.

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- Projects that extent public sewer to areas with failed septic tanks.
- Projects that rehabilitate a wastewater treatment plant to allow for greater efficiency/compliance with regulations.

The City of High Shoals is seeking an amount in CDBG-I funds not to exceed \$1,703,309 for the City of High Shoals Water System Replacement Phase 2 CDBG-I project. The purpose of the City's request is to install approximately 2,950 LF of 12" water lines and appurtenances along the entire length of **River Street** serving 36 single family homes within the City.

The project proposed by the City was identified in the High Shoals Capital Improvement Plan/Asset Management Plan adopted in March 2023. Informal community meetings were held in the project area to inform citizens of the potential project, and get feedback from the residents.

A total of 100% of the CDBG- I funding will be used to benefit Low to Moderate Income (LMI) people. The project area in the City has been determined to have a LMI of 90.32%. The project area includes the entire length of River Street from its northern intersection with N. Lincoln Street to a connection with the existing water line and the southern end of River Street at S. Lincoln Street, High Shoals, NC as shown on the attached map.

The range of activities covered by the CDBG-I funds for the City of High Shoals Waster System Replace Phase 2 CDBG-I project includes:

- Construction.
- Environmental Review



The City of High Shoals does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services

- Engineering Design
- Construction Administration and observation.
- Legal activities.
- Surveying.
- Grant Administration.

If High Shoals is awarded a CDBG-I grant, the city is required to adhere to federal procurement requirements and other federal regulations which include:

- American with Disabilities Act/Section 504 Survey
- Davis-Bacon & Related Labor Acts
- Adoption/Submittal of a Citizen's Participation Plan
- Adoption/Submittal of an Equal Opportunity Plan
- Adoption/Submittal of a Fair Housing Plan
- Adoption/Submittal of a Language Access Plan
- Adoption/Submittal of a Relocation Assistance Plan
- Adoption/Submittal of a Section 3 Plan
- Excess Force Provision

The State of North Carolina requires that the if the City receives CDBG grant funding that the town will certify that they will comply with the requirements of the general displacement and relocation policy for CDBG grant funding. This policy assists low to moderate income people with costs associated with relocation or displacement, should such relocation become necessary due to the project activities. CDBG funds can be used for those costs, if necessary. **However, no displacement and relocation will occur as a result of the proposed CDBG grant activity.**

In the past, the City has applied for and received for the following completed CDBG project:

- List Name of Projects and Outcomes/outputs of the projects:
 - 1). CDBG #05-D-2094 was awarded in 2010 in the amount of \$750,000 to install 4,000 LF of 8" gravity sewer lines to serve 52 homes. Gaston County provided \$37,500 in local matching funds on behalf of the City to this project. The project was closed by the NC Division of Community Assistance in 2013. There were no monitoring issues or findings for the project.
 - 2) CDBG-I #16-I-2920. The City was awarded \$1,594,905 by the NC Division of Environmental Quality, Water Infrastructure Division to replace approximately 6,900 linear feet of existing obsolete sewer lines with 8" gravity sewer lines, the installation of 540 linear feet of new 8" gravity sewer lines to eliminate failed septic tanks and to resolve and prevent further health and safety issues caused by sewage backups into private homes. This project served 110 homes. The project was closed by the NC Department of Environmental Quality in December 2020. There were no monitoring issues or findings for the project.



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3) In 2017, the City was awarded \$750,000 by the NC Department of Commerce Rural Economic Development Division (REDD) under the Neighborhood Revitalization category, (CDBG #17-C-3025). Through the project, the City was able to rehabilitate eight (8) single family owner-occupied homes and make needed repairs to the High Shoals City Park concession stand and restrooms. The project is completed and close-out documents were submitted to REDD on June 16, 2022.

4) In 2019, the City was awarded \$1,996,086 by the NC Division of Environmental Quality, Water Infrastructure Division (CDBG #19-I-3105) to replace approximately 6,190 linear feet of existing 6", 8" and 12" water lines within the City. The project serves 68 single family homes. The construction of that project is completed and the City has submitted its close out documents and reports. The project has been monitored once with no findings. One concern regarding the completeness of two employee interview forms was noted and corrected.

5) In December 2022, the City was awarded \$950,000 by the NC Department of Commerce Rural Economic Development Division (REDD) under the Neighborhood Revitalization category, (CDBG #21-C-4014) to rehabilitate approximately four owner occupied single family homes and provide one-for-one replacement for one home. The project is still in the process and is on schedule.

6) In April 2024, the City was awarded \$950,000 in CDBG funds from the NC Department of Commerce Rural Economic Development Division (REDD) under the Neighborhood Revitalization category, (CDBG #22-C-4125) to rehabilitate five (5) single family owner-occupied homes within the City. That project is in its start-up phase.

The City will submit its CDBG-I application for the City of High Shoals Water System Replacement Phase 2 CDBG-I project on October 2, 2023. The CDBG-I application is available for review during normal business hours at High Shoals City Hall, 101 Thompkins Street, High Shoals, NC. Additional information is available from Mayor P.J. Rathbone at (704) 735-1651 or at pjrathbone@cityofhighshoals.net.

Should you have any complaints or grievances regarding the subject public hearing, they should be addressed to the addressee mentioned above within fifteen (15) business days or by May 29, 2024 and a written response to the written complaints and/or grievances will be sent by the City within fifteen (15) business days, where practicable.

We open the floor for comments and questions about the CDBG program, and about the proposed project.



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May 10, 2024

MEMORANDUM

TO: P.J. Rathbone, Mayor
City Council

FROM: Steve Austin, CDBG Administrator

RE: Required Policies, Procedures, Plans, Resolutions and Ordinances for the
2022 City of High Shoals Neighborhood Revitalization CDBG project

Please find attached the various policies, procedures, plans, resolutions and ordinances necessary for adoption by the City Council for the 2022 Neighborhood Revitalization CDBG Project. These items are broken down into three sections, 1) Policies, Plans and Procedures, 2) a Fair Housing Resolution, and 3) a Project Budget Ordinance:

1) Policies, Plans and Procedures: a brief explanation of each of the items is as follows:

1. Recipient's Plan to Affirmatively Further Fair Housing - This plan states that the City will implement activities to affirmatively further fair housing and comply with Title VIII, Civil Rights Act of 1968. This plan outlines the quarterly activities the City will undertake during the life of the grant to promote fair housing.
2. Fair Housing Complaint Procedure - This procedure states how the City will handle complaints of housing discrimination and what steps that will be taken for complaints.
3. Equal Employment Opportunity and Procurement Plan - This plan certifies that the City will comply with all nondiscrimination laws and regulations in employment, and will take action in the areas of enforcement, education and removal of barriers and impediments that affirmatively further equal access in procurement.
4. Procurement Policy – This policy outlines the three methods of procurement to be used within this project for the award of contracts and for purchases made.
5. Section 3-Local Economic Benefit for Low and Very Low Income Persons Plan - This plan explains the City's strategy for identifying opportunities in employment arising out of a CDBG assisted project and for making these jobs available for low-income residents in the project area and utilizing local suppliers.
6. Residential Anti-Displacement and Relocation Plan - This plan states how the City will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than low/moderate income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974 and what steps the City will take to replace these units.

7. Citizens Participation Plan - This plan states that the City will provide for and encourage citizen participation and will provide technical assistance to groups representative of persons of low and moderate income who request such assistance.
8. Citizens Participation Procedure for Complaints - This plan states the procedures developed by the City to handle complaints received involving the Community Development Block Grant or any HUD-funded programs.
9. Code of Conduct - This policy states that no public official, employee, officer or agent of the City shall participate in the selection, the award or the administration of a contract supported by federal funds if a conflict of interest, real or apparent, is involved.
10. 504 Grievance Procedure - This procedure allows for a process for which citizens can file a grievance concerning Section 504.
11. Language Access Plan - This plan details the procedures to follow to assist persons/beneficiaries who do not speak English.

2) Secondly, there is a resolution to be adopted that supports Fair Housing practices within the City of High Shoals. Fair Housing law prohibits the denial of housing choice because of race, religion, age, color, sex, familial status (presence of children in the household), handicap status, or national origin. The law includes both rental housing and homes for sale. By adopting this resolution, the City is pledging that no one in the project area will be denied the benefits of the CDBG program because of their race, religion, color sex, familial status, handicap status, or national origin. Please also note that the City is only responsible for Fair Housing practices directly connected to its CDBG project. Fair Housing enforcement in North Carolina is the responsibility of the North Carolina Human Relations Commission in Raleigh, and any Fair Housing complaints not in the CDBG project are forwarded to that agency.

3) Finally, attached is a project budget ordinance. In order to begin expenditures of the 2022 grant the City must adopt a Project Budget Ordinance as required by North Carolina law for projects that operate for more than one fiscal year. This budget ordinance will govern the setting up of the accounting system for the project.

CITY OF HIGH SHOALS

**COMMUNITY DEVELOPMENT BLOCK GRANT
POLICIES, PROCEDURES, PLANS, RESOLUTIONS
AND ORDINANCES
2022 NEIGHBORHOOD REVITALIZATION PROJECT**

TABLE OF CONTENTS

- I. Resolution to Adopt the following Policies, Procedures, and Plans
 - 1. Fair Housing Plan
 - 2. Fair Housing Complaint Procedure
 - 3. Equal Employment Opportunity Plan
 - 4. Procurement Policy
 - 5. Section 3 Plan (Local Economic Benefit for Low and Very Low Income Persons)
 - 6. Residential Anti-Displacement and Relocation Assistance Plan
 - 7. Citizens Participation Plan
 - 8. Citizens Participation Procedure for Complaints
 - 9. Code of Conduct
 - 10. 504 Grievance Procedure
 - 11. Language Access Plan
- II. Fair Housing Resolution
- III. Project Budget Ordinance

**CITY OF HIGH SHOALS
POLICIES AND PROCEDURES
FOR THE**

**COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
CDBG #22-C-4125**

WHEREAS, the City of High Shoals has been awarded a 2022 Community Development Block Grant by the North Carolina Department of Commerce in the amount of \$950,000; and

WHEREAS, the City of High Shoals desires to adopt and maintain current Community Development Program Policies, Procedures, and Plans; and

WHEREAS, the City has created Community Development Program Policies, Procedures, and Plans;

NOW, THEREFORE, BE IT RESOLVED, the City of High Shoals hereby adopts Community Development Program Policies, Procedures, and Plans as herein contained for the 2022 Neighborhood Revitalization CDBG Project.

Adopted this the 14 day of May, 2024.



Mayor

ATTEST:



Clerk

RECIPIENT'S PLAN TO FURTHER FAIR HOUSING

Grantee: City of High Shoals

Recipient's Address: PO Box 6

**101 Thompson Street
High Shoals, NC 28077**

Contact Person: P.J. Rathbone, Mayor

Contact Phone #: (980) 429-1224

Contact Email: mayor@cityofhighshoals.net

TDD #:1-800-735-2962 (TTY)

- 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 _____

Past Activities X

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

The basic obstacle is a lack of knowledge among housing agencies and individuals in the community concerning Title VIII requirements.

- 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: City of High Shoals

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>
The City will adopt a Fair Housing Resolution to reaffirm the City's commitment to Fair Housing within the City of High Shoals. The Fair Housing Plan and the Complaint Procedure will be adopted. The City will publish its FH Resolution and Complaint Procedure in the local newspaper.	Apr-Jun	2024	\$0 \$600	
City to provide FH PSA's to area radio stations in English and Spanish	Jul-Sep	2024	\$25	
City to contact the NC HRC to request information regarding FH complaints received from within the City	Oct-Dec	2024	\$0.69	
The City will prepare and distribute Fair Housing brochures and pamphlets to housing mortgage lenders throughout the City in July 2020.	Jan-Mar	2025	\$15	
The City will adopt a Fair Housing Resolution to reaffirm the City's commitment to Fair and to recognize April as Fair Housing Month.	Apr-Jun	2025	\$0	
The City will maintain a current list of local realtors who are available to assist in locating housing for anyone needing assistance, and distribute Fair Housing brochures and pamphlets to local real estate agencies.	Jul-Sep	2025	\$15	
The City will distribute Fair Housing Pamphlets to citizen and civic organizations and churches throughout the City.	Oct-Dec	2025	\$15	
City to provide brochures to county agencies that advocate for LMI housing, housing for persons with disabilities, and minority advocacy groups, City-wide non-profits, churches, community groups.	Jan-Mar	2026	\$25	
The City will adopt a Fair Housing Resolution to reaffirm the City's commitment to Fair Housing within the City of High Shoals. The City will participate in any Gaston County Fair Housing Workshops as part of Fair Housing Month.	Apr-Jun	2026	\$0	
The City will distribute Fair Housing pamphlets to multifamily rental property owners and managers.	Jul-Sep	2026	\$15	
City to provide brochures to landlords owning and leasing multiple rental properties within the City.	Oct-Dec	2026	\$15	
The City will reassess its Fair Housing strategy by contacting the NC Human Relations Commission to determine the number and type of Fair Housing complaints and their outcomes.	Jan-Mar	2027	\$0.69	

- 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 City may do so by informing the Mayor of the facts and circumstance of the alleged discriminatory acts or practice.
 - 2) Upon receiving a housing discrimination complaint, the Mayor 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 Mayor shall offer assistance to the Commission in the investigation and reconciliation of all housing discrimination complaints which are based on events occurring in the City.
 - 4) The Mayor shall publicize in the local newspaper, with the TDD#, who is the local agency to contact with housing discrimination complaints.

Adopted this 14th day of May, 2024.

 (Chief Elected Official)

ATTEST: Brandi Strange (Clerk)

**CITY OF HIGH SHOALS
FAIR HOUSING COMPLAINT PROCEDURE**

Housing discrimination is prohibited by Title VIII of the Civil Rights Act of 1968 and by the North Carolina State Fair Housing Act. In an effort to promote fair housing and to ensure that the rights of housing discrimination victims are protected, the City of High Shoals has developed the following procedures for receiving and resolving housing discrimination complaints:

1. Any person or persons wishing to file a complaint of housing discrimination in the City of High Shoals may do so by informing the Mayor of the facts and circumstances of the alleged discriminatory acts or practice.
2. Upon receiving a housing discrimination complaint, the Mayor shall acknowledge the complaint within 10 days in writing and inform the North Carolina Human Relations Commission about the complaint.
3. When a housing complaint cannot be resolved at the local level, the Mayor shall offer assistance to the North Carolina Human Relations Commission in the investigation and reconciliation of all housing discrimination complaints, which are based on events occurring in the City of High Shoals.
4. The City shall publicize in the local paper that the Mayor is the local official to contact with housing discrimination complaints.

**CITY OF HIGH SHOALS
EQUAL EMPLOYMENT AND PROCUREMENT PLAN**

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

Responsibility for implementing equal opportunities and Affirmative Action measures is hereby assigned to the City's Human Resource Director and/or other persons designated by the Mayor or the City Council to assist in the implementation of this policy statement.

The City 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 the Mayor will present Affirmative Action progress to the City Council.

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

**CITY HIGH SHOALS
PROCUREMENT POLICY FOR
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

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

- 1) Small purchase procedures. These are relatively simple and informal procurement methods that are sound and appropriate for a procurement of services, supplies, or other property, costing in the aggregate not more than \$90,000. Under this procurement method price or rate quotations shall be obtained from an adequate number of qualified sources. Office supplies and equipment may be secured by this method.
- 2) In competitive sealed bids (formal advertising) sealed bids shall be publicly solicited and a firm, fixed, price contract shall be awarded to the lowest responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is most advantageous to the City and the project.
- 3) In competitive negotiations proposals shall be requested from a number of sources and the Request for Proposals shall be publicized. All aspects of the competitive negotiations shall be carried out in conformance with 24 CFR Part 85. The general administrative contract, appraisal contract, engineering contract, surveying contract and all other required services related to the program implementation shall be awarded utilizing this method. Under this method special consideration shall be given to experience, technical abilities, and familiarity with the services to be provided. Price shall not be the sole consideration for award of contract.

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

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

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

**CITY OF HIGH SHOALS
LOCAL ECONOMIC BENEFIT FOR LOW-AND VERY LOW-INCOME PERSONS
PLAN
SECTION 3 PLAN**

I. APPLICATION AND COVERAGE OF POLICY

The City 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 the 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, the City of High Shoals has developed and hereby adopts the following Plan:

The City will comply with all applicable provisions of Section 3 of the Housing and Urban Development Act of 1968, as amended (24 C.R.F. 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 the City and portions of the immediately adjacent area.

The City will be responsible for implementation and administration of the Section 3 plan. In order to implement the City's policy of encouraging local residents and local businesses participation in undertaking community development activities, the City 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, the City 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 Administration, local directories and Small Business Administration local offices. Word of mouth recommendation shall also be used as a source.

The City 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 and the Section 3 minimum numerical goals shall be mentioned in the pre bid meetings and the preconstruction meetings.

The Section 3 minimum numerical goals shall be met by the City, if the minimum numerical goals are not met, an explanation and the efforts taken by City to meet the goals shall be described in the Annual Section 3 report. The report must be submitted along with the Annual Performance Report (APR) during the life of the grant.

Section 3 minimum numerical goals (the Section 3 regulations established thresholds and goals at 24 CFR 135.30):

Goals

- 30 % of the aggregate number of new hires shall be Section 3 residents
- 10 % of the total dollar amount of all covered construction shall be awarded to Section 3 business concerns.
- 3 % of the total dollar amount of all covered non-construction contracts shall be awarded to Section 3 business concerns.

A Section 3 business concern is defined as a business where

- 51% or more of the business is owned by Section 3 residents or
- 30% or more employed staff are Section 3 residents; or
- 25% of subcontracts are committed to Section 3 businesses.

Any 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 NCWorks agency (<https://www.ncworks.gov/vosnet/Default.aspx>) shall be notified and referred to the contractor.

Each contract for rehabilitation, replacement or new construction 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 the 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. Rural Economic Development (REDD) 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

The City will take the following steps to assure that low income residents and businesses within the community development project area and within the City are used whenever possible:

The City will place qualified residents and businesses on solicitation lists, assure that residents and businesses are solicited whenever they are potential sources of contracts, services or supplies; divide total requirements, when economically feasible, into smaller tasks or quantities

to permit maximum participation by residents and businesses; establish delivery schedule, where the requirements permit, which encourages participation by area for residents and businesses.

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

☒ The City 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 the Housing and Community Development Act, local residents and businesses will be utilized for jobs, contracts 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 NCWorks agency (<https://www.ncworks.gov/vosnet/Default.aspx>); 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, of which the City 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):

The City 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

The City 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

The City 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 REDD, 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.

The City shall report annually the Section 3 numbers using the form HUD 60002 to REDD at the end of the calendar year as part of the Annual Performance Report (APR).

IV. MONITORING COMPLIANCE

The City 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. SECTION 3 COORDINATOR CONTACT INFORMATION

Please provide the main contact in case that any complaint is received or general information is requested by the general public on Section 3 compliance:

Mr. P.J. Rathbone, Mayor
PO Box 6
High Shoals, NC 28077
(704) 735-1561
pj Rathbone@cityofhighshoals.net

**CITY OF HIGH SHOALS
RESIDENTIAL ANTI-DISPLACEMENT
AND
RELOCATION ASSISTANCE PLAN**

This Residential Anti-displacement and Relocation Assistance Plan is prepared by the City of High Shoals 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 City of High Shoals will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- ☐ 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.
- ☐ Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
- ☐ Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- ☐ 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.

A. Relocation Assistance to Displaced Persons

The City of High Shoals 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 City of High Shoals 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 City of High Shoals to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the City of High Shoals will make public by publishing in the Gaston Gazette and submit to State CDBG Program(s) North Carolina Department of Commerce, Rural Economic Development Division (REDD) the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. *NOTE: See also 24 CFR 42.375(d).*
5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the City of High Shoals 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 City of High Shoals may submit a request to the State (REDD) 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 High Shoals City Hall (704-735-1651) is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period.

The High Shoals City Hall (704-735-1651) 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.

CITY OF HIGH SHOALS CITIZENS PARTICIPATION PLAN

This plan describes how the City of High Shoals will involve citizens in the planning, implementation and assessment of the Community Development Block Grant (CDBG) program. The funds must be used for projects which benefit low and moderate-income persons and aids in the elimination and prevention of slums and blight. The program is intended to assist governments in understanding neighborhood improvement programs. The regulations give ultimate responsibility for the design and implementation of the program to local elected officials and also requires that citizens be given an opportunity to serve in a key advisory role to these elected officials.

SCOPE OF CITIZEN PARTICIPATION

Citizens will be involved in all stages of the CDBG program, including program implementation, assessment of performance and design of changes in the Citizen Participation Plan. There will be three (3) general mechanisms for their involvement:

1. To serve as an advisory committee to the project;
2. To attend or hold public hearings or community meetings; and
3. To provide individual citizen efforts in the form of comments, complaints or inquiries submitted directly to the Program Administrators or designated Town official.

PROGRAM IMPLEMENTATION

Citizen participation in program implementation will occur primarily through consultation with the City of High Shoals. The City will be asked to review and comment on specific guidelines for approved projects. They will also meet to review any program amendments, budget revisions and program modifications. All such changes will be discussed with the City and their comments considered prior to taking action. If program amendments require approval from the North Carolina Department of Commerce, a public hearing shall be held specifically on the amendment. Citizens may also be involved in implementation of projects specifically requiring citizen participation, such as self-help projects. Their roles will be defined as the project develops. Technical assistance will be available as needed.

PROGRAM ASSESSMENT

Program assessment activities by citizens will occur in a variety of ways. A performance hearing will be held thirty to sixty (30 to 60) days prior to the start of planning for the next program year. The Program Amendment will be asked to provide citizen commentary for the Grantee Performance Report.

As a part of the orientation to the program offered at the public hearing, citizens will be invited to submit comments on all aspects of program performance through the program year. Comments should be submitted in writing to the office of the High Shoals Mayor. The City will respond in writing within ten (10) days. If the response is unsatisfactory, the complainant should write directly to Mayor, who shall respond within ten (10) days.

If the citizen is still dissatisfied, he/she should write to the NC Department of Commerce, Rural Economic Development Department, 4346 Mail Service Center, Raleigh, NC 27699-4346, Attention: Citizen Participation Matter. Program staff will also be available during normal business hours to respond to any citizen inquiries or complaints at 919-814-4679.

The Citizen Participation Plan will be subject to annual review and proposed revision, to occur in the period between the performance hearing and the public hearing on the subsequent year's application.

TECHNICAL ASSISTANCE

Technical Assistance will be provided to citizen organizations and groups of low/moderate income persons or target area residents upon request to City of High Shoals. Such assistance will support citizen efforts to develop proposals, define policy and organize for the implementation of the program. It is expected that such assistance will be provided directly to the City in response to their request. Assistance could be provided in the form of local presentations, informational handouts, research of a specific issue or other short-term efforts.

PUBLIC INFORMATION

The City of High Shoals will also undertake public information efforts to promote citizen participation. These efforts will include the following:

1. Public Notice of all Public Hearings will be published in the non-legal section of the local newspaper at least ten (10) days before the scheduled hearing. These notices will indicate the date, time, location and topics to be considered. These notices will also be made available in the form of press releases, as a public service announcement to local radio stations and will be provided to churches within the target area of distribution.
2. Orientation Information will be provided at the first public hearing. The Program Administrator(s) will make a presentation which covers: (a) the total amount of CDBG funds available and the competitive basis for award; (b) the range of eligible activities; (c) the planning process and the schedule of meetings and hearings; (d) the role of citizens in the program and (e) a summary of other program requirements, such as the environmental policies, fair housing provisions and contracting procedures.
3. A Public File containing program documentation will be available for review at the High Shoals City Hall during normal business hours. Included will be copies of the Application, Environmental Review Record, the Citizen Participation Plan and the Annual Performance Report. Other program documents are also available for citizen review on request at the City Hall consistent with applicable State and local laws regarding personal privacy and obligations of confidentiality.
4. Public Hearings an interpreter will be provided for all non-English speaking individuals and/or deaf individuals.

**CITY OF HIGH SHOALS
CITIZEN PARTICIPATION
PROCEDURE FOR COMPLAINTS**

The City of High Shoals has developed a procedure to process complaints, which may be received involving the CDBG Project or any other HUD-funded program. There are two basic forms of complaint procedures: 1) verbal complaints which will be dealt with informally by the City's designated Community Development Administrator (CDA), and 2) written complaints which will be dealt with formally with a set of procedures including appeals.

All written complaints received by Congressional staff, local elected officials, the Mayor, and the CDA will be logged in as received by the CDA. Within a ten calendar days period following the receipt of this complaint, a response will be developed by the CDA, reviewed by the Mayor, and mailed to the party who wrote the complaint. This response will include property documentation and background of the case in question, the proposed action, if any, and the time frame in which the complaint will be addressed. If the response is unsatisfactory, the complainant should write directly to Mayor, who shall respond within ten (10) days.

In the event this response is unsatisfactory to the person making the complaint, that party will be referred to the North Carolina Department of Commerce (REDD), 4346 Mail Service Center, Raleigh, NC 27699 and the REDD Compliance Representative serving the City of High Shoals. REDD will respond in writing to the complainant and the City with a decision or recommendation(s) for resolution. The written recommendation made by REDD staff will be final in all cases.

It is the responsibility of the person making the complaint to furnish documents, provide documentation to support allegations, provide counsel if desired, inform in writing to the CDA if they are represented by a third party, and attend any meetings involving a review of their complaint.

**CITY OF HIGH SHOALS
COMMUNITY DEVELOPMENT CODE OF CONDUCT/HATCH ACT POLICY**

HATCH ACT

No employee or agent of the City may perform any function during work hours that is considered political activity. This includes: soliciting votes, transporting voters, distributing campaign materials, working on or developing campaign materials, etc.

DISCRIMINATION

No person shall, on the grounds of race, color, religion, national origin, age, handicap status, familial status, Vietnam Era Veteran status or sex be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity funded in whole or in part with federal funds.

ENGAGEMENT IN PROCUREMENT

No employee, officer or agent of the City shall participate in the selection or award of 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:

- a) The employee, officer, or agent;
- b) Any member of his immediate family;
- c) His or her business partner; or
- d) An organization which employs or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

The grantee's officers, employees, or agent shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.

CONFLICT OF INTEREST

No employee or agent shall influence or attempt to influence the outcome of any case or matter in which he has a direct interest either personally or in the person of any relative by blood or marriage. Employees or agents so involved shall abstain from dealing with such matters; they may provide information at the request of the City Council but shall not attempt to influence the decisions of the City Council.

**CITY OF HIGH SHOALS
SECTION 504
COMPLIANCE OFFICER/GRIEVANCE PROCEDURE**

High Shoals, North Carolina, hereby designates the Mayor to serve as the Section 504 Compliance Officer throughout the implementation of the City of High Shoals Neighborhood Revitalization CDBG Project.

Citizens with Section 504 grievances may do so at any point in the program. The City will respond in writing to written citizen grievances. Citizen grievances should be mailed to the Mayor, PO Box 431, High Shoals, NC 28012. The City will respond to all written citizen grievances within ten (10) calendar days of receipt of the comments.

Should any individual, family, or entity have a grievance concerning any action 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 the citizen is dissatisfied with the local response, they may write to the NC Department of Commerce REDD, 4346 Mail Service Center, Raleigh, NC 27699. The Department of Commerce will respond only to written comments within ten (10) calendar days of the receipt of the comments.

LANGUAGE ACCESS PLAN CITY OF HIGH SHOALS

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.

In order to avoid discrimination on the grounds of national origin, all programs or activities administered by the **City of High Shoals** must take adequate steps to ensure that their policies and procedures do not deny or have the effect of denying LEP individuals with equal access to benefits and services for which such persons qualify. This Policy defines the responsibilities the agency has to ensure LEP individuals can communicate effectively.

This policy and plan is effective May 14, 2024.

Scope of Policy

These requirements will apply to the **City of High Shoals (herein referred to as “the agency”)** including subcontractors, vendors, and sub recipients.

The agency will ensure that LEP individuals are provided meaningful access to benefits and services provided through contractors or service providers receiving subgrants from the agency.

Definitions

- A. 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.
- B. 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.

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

Providing Notice to LEP Individuals

- A. The agency will take appropriate steps to inform all applicants, recipients, community organizations, and other interested persons, including those whose primary language is other than English, of the provisions address of the Title VI compliance officer(s) of this policy. Such notification will also identify the name, office telephone number, and office).

List the current name, office telephone number and office address of the Title VI compliance officer(s):

P.J. Rathbone, Mayor
PO Box 6
101 Thompkins Street
High Shoals, NC 28077
(704) 735-1651

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

- B. The agency will post and maintain signs in regularly encountered languages other than English in waiting rooms, reception areas and other initial points of contact. These signs will inform applicants and beneficiaries of their right to free language assistance services and invite them to identify themselves as persons needing such services.

Identify areas within the agency where these signs will be posted:

High Shoals City Hall Lobby – 101 Thompkins Street, High Shoals, NC 28077;

- C. The agency will include statements of the right to free language assistance in Spanish and other significant languages in all outreach material that is routinely disseminated to the public (including electronic text).
- D. The agency will also disseminate information in the following manner:
 - 1) Pamphlets will be made available at agency owned buildings that explain the rights provided by this policy.
 - 2) PSA's will be periodically placed in The Gaston Gazette explaining the rights provided by this policy.

Provision of Services to LEP Applicants/Recipients

A. Assessing Linguistic Needs of Potential Applicants and Recipients

1. The agency will assess the language needs of the population to be served, by identifying:
 - a. the language needs of each LEP applicant/recipient;
 - b. the points of contact where language assistance is needed; and
 - c. the resources needed to provide effective language assistance, including location, availability and arrangements necessary for timely use.

2. Determining the Language Needs of the Population to be Served

The agency is responsible for assessing the needs of the population to be served. Such assessment will include, but not be limited to the following:

- a. The non-English languages that are likely to be encountered in its program will be identified.
- b. An estimate of the number of people in the community for whom English is not the primary language used for communication will be completed and updated annually. To identify the languages and number of LEP individuals local entities should review:
 - i. census data
 - ii. school system data
 - iii. reports from federal, state, and local governments
 - iv. community agencies' information, and
 - v. data from client files
- c. The points of contact in the program or activity where language assistance is likely to be needed will be identified.

3. Determining the Language Needs of Each Applicant/Recipient

The agency will determine the language needs of each applicant/recipient. Such assessment will include, but not be limited to the following:

- a. At the first point of contact, each applicant/recipient will be assessed to determine the individual's primary language.

The following methods will be used:

- X Multi-language identification cards, a poster-size language list, or the use of “I speak” peel-off language identification cards for indicating preferred languages
 - English proficiency assessment tools, provided they can be administered in a manner that is sensitive to and respectful of individual dignity and privacy
 - Other (*describe*):
- b. If the LEP person does not speak or read any of these languages, the agency will use a telephone interpreting service to identify the client’s primary language.
 - c. Staff will not solely rely on their own assessment of the applicant or recipient’s English proficiency in determining the need for an interpreter. If an individual requests an interpreter, an interpreter will be provided free of charge. A declaration of the client will be used to establish the client’s primary language.
 - d. When staff place or receive a telephone call and cannot determine what language the other person on the line is speaking, a telephone interpreting service will be utilized in making the determination.
 - e. If any applicant/recipient is assessed as LEP, they will be informed of interpreter availability and their right to have a language interpreter at no cost to them with a notice in writing in the languages identified in Section C. Provisions of Written Translations.

B. Provision of Bilingual/Interpretive Services

1. The agency will ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English speaking population. The provision of bilingual/interpretive services will be prompt without undue delays. In most circumstances, this requires language services to be available during all operating hours.

This requirement will be met by: 1) The bilingual staff person from the Gaston County Public Health Department will be the primary source of translation services. 2) Telephone interpreter services will be utilized as needed.

2. The agency will provide language assistance at all levels of interaction with LEP individuals, including telephone interactions.
3. Describe how this requirement will be met:

- 1) At the initial point of contact, it will be determined by agency staff if the LEP individual is proficient enough in English to request that translation services be provided.
- 2) If the individual is able to request translation services, their contact information will be taken. Agency staff will notify the Gaston County Public Health Department that translation services are needed. If the bilingual Health Department staff person is not available in a reasonable time, then telephone translation services will be provided.
- 3) If at the initial point of contact it is determined that the LEP individual does not understand enough English to request translation services, and bilingual staff is not available, then telephone translation services will be provided.

4. Interpreter Standards

- a. Those providing bilingual/interpretive services will meet the linguistic and cultural competency standards set forth below. The agency will ensure that interpreters and self-identified bilingual staff, have first been screened to ensure that the following standards are met before being used for interpreter services:
 - i. Can fluently and effectively communicate in both English and the primary language of the LEP individual
 - ii. Can accurately and impartially interpret to and from such languages and English
 - iii. Has a basic knowledge of specialized terms and concepts used frequently in the provision of the agency's services
 - iv. Demonstrates cultural competency
 - v. Understands the obligation to maintain confidentiality
 - vi. Understands the roles of interpreters and the ethics associated with being an interpreter

Describe how the agency ensures the competency of bilingual staff and interpreters:

- a. The agency will provide staff development training to new bilingual staff concerning the services and requirements of the CDBG program, cultural awareness and the need for confidentiality to effectively perform items i through vi as detailed above.
- b. When staff members have reason to believe that an interpreter is not qualified or properly trained to serve as an interpreter, the staff member will request another interpreter.

5. Using Family Members or Friends as Interpreters

- a. Applicants/recipients may provide their own interpreter; however the agency will not require them to do so.
 - b. The agency will first inform an LEP person, in the primary language of the LEP person, of the right to free interpreter services and the potential problems for ineffective communication. If the LEP person declines such services and requests the use of a family member or friend, the agency may utilize the family member or friend to interpret only if the use of such person would not compromise the effectiveness of services or violate the LEP person's confidentiality. The agency will monitor these interactions and again offer interpreter services, if it appears there are problems with this arrangement.
 - c. The agency will indicate in the LEP individual's file that an offer of interpreter services was made and rejected; that the individual was informed of potential problems associated with using friends or family members and the name of the person serving as an interpreter at the LEP individual's request.
 - d. Only under extenuating circumstances shall the agency allow a minor (under the age of 18 years) to temporarily act as an interpreter. The agency will keep a written record of when it has used a minor as an interpreter, and this information will be shared with the REDD upon request.
6. The agency will *not* require the applicant/recipient to pay for bilingual/interpretive services.

C. Provision of Written Translations

1. The agency must provide written materials in languages other than English where a substantial number or percentage of the population eligible to be served or likely to be directly affected by the program needs services or information in a language other than English to communicate effectively.
2. Translation of Vital Documents
 - a. The agency will ensure that vital documents for locally designed programs are translated into Spanish.
 - b. When REDD forms and other written material contain spaces in which the local entity is to insert information, this inserted information will also be in the individual's primary language. When such forms are completed by applicants/recipients in their primary language, the information must be accepted.

- c. If, as a result of the local language assessment, it appears there are a substantial number of potential applicants or recipients of the agency (defined as 5% or 1,000 people whichever is less) who are LEP and speak a language other than Spanish, the agency will translate and provide vital documents in the appropriate language.
 - d. The agency will keep a record of all vital documents translated, and will submit this information to REDD at their request.
 - 3. If the primary language of an LEP applicant or recipient is a language other than Spanish AND the language does not meet the threshold for translation as defined in the preceding paragraph, the LEP individual will be informed in their own language of the right to oral translation of written notices. 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.
- D. Documentation of Applicant/Recipient Case Records
 - 1. The agency will maintain case record documentation in sufficient detail to permit a reviewer to determine the agency's compliance with this policy.
 - 2. The agency will ensure that case record documentation, including computerized records if appropriate, identifies the applicants/recipient's ethnic origin and primary language. In those cases where the applicant/recipient is non-English speaking, the agency will:
 - a. Document the individual's acceptance or refusal of forms or other written materials offered in the individual's primary language.
 - b. Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. When a minor is used as interpreter, the agency will document the circumstances requiring temporary use of a minor and will provide this information to REDD upon request.
 - 3. Consent for the release of information will be obtained from applicants/recipients when individuals other than agency employees are used as interpreters and the case record will be so documented.

E. Staff Development and Training

1. The agency will provide staff training at new employee orientation and continuing training programs. The training will include, but not be limited to:
 - a. Language assistance policies and procedures, resources available to support such procedures, methods of effective use of interpreters, and familiarization with the discrimination complaint process.
 - b. Cultural awareness information, including specific cultural characteristics of the groups served by the agency to provide a better understanding of, and sensitivity to, the various cultural groups to ensure equal delivery of services.

2. The agency will provide or ensure training is provided for bilingual staff and interpreters employed or utilized by the agency. This includes the ethics of interpreting, including confidentiality; methods of interpreting; orientation to the organization; specialized terminology used by the agency; and cultural competency.

The agency will ensure that applicable grantees, contractors, cooperative agreement recipients and other entities receiving state and federal funds are trained in the requirements of this policy.

- 1) Consultants hired by the agency to provide CDBG grant administration will be made aware of, and required to attend any training required by REDD concerning this policy. Consultants will then be required to ensure compliance with this policy with any engineers or contractors procured to complete CDBG activities.
 - 2) The agency will rely on REDD to provide required Davis-Bacon information in Spanish for posting at construction sites. If for any reason REDD is not able to provide the information in Spanish, the agency will have the information translated.
3. The agency will collect and maintain the following information about training provided to staff: the date(s) of such training, the content of such training, the number and types of credit hours awarded; and the names and identifying information of each attendee at the training. The agency will ensure that grantees, contractors, cooperative agreement recipients and other applicable funded entities collect and maintain such information as well.

Compliance Procedures, Reporting and Monitoring

A. Reporting

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

B. Monitoring

1. The agency will complete a self-monitoring report on a quarterly basis, using a standardized reporting system providing by the REDD. These reports will be maintained and stored by the Title VI compliance officer and will be provided to the REDD upon request.
2. The agency will cooperate, when requested, with special review by the REDD.

Applicant/Recipient Complaints of Discriminatory Treatment

A. Complaints

1. 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.
2. The agency will maintain records of any complaints filed, the date of filing, actions taken and resolution.
3. The agency will notify the appropriate agency or Division within REDD of complaints filed the date of filing, actions taken and resolution. This information will be provided within 30 days of resolution.

B. Investigation

1. 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.
2. The investigation will not exceed 30 days, absent a 15-day extension for extenuating circumstances.

C. Resolution of Matters

1. 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.
2. 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.
3. If not resolved by REDD, then complaint will be forwarded to DOJ, HUD Field Office.

Adopted this the 14th day of May, 2024

Mayor 

ATTEST:

Branali Strangel
City Clerk

**CITY OF HIGH SHOALS
FAIR HOUSING RESOLUTION**

WHEREAS, the City of High Shoals seeks to protect the health, safety and welfare of its residents; and

WHEREAS, citizens seek safe, sanitary, and habitable dwellings in all areas of the City; and

WHEREAS, the City of High Shoals finds the denial of equal housing opportunities because of religion, race, age, color, sex, familial or handicap status, or national origin legally wrong and socially unjust; and

WHEREAS, the denial of equal housing opportunities in housing accommodations is detrimental to public welfare and public order; and

WHEREAS, the City of High Shoals finds the practice of discrimination against a citizen in housing a denial of equal rights and equal opportunity to seek a better living and develop community pride;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of High Shoals, North Carolina, that

- Section 1. The City of High Shoals has declared it an official policy of the City that there shall be no discrimination in the terms, conditions or choices for buying or renting housing within the City.
- Section 2. All business groups and individual citizens of the City are urged to respect and implement this policy.
- Section 3. The Mayor is the official authorized by the City to (1) receive and document complaints regarding housing discrimination in the City; and (2) refer such complaints to the North Carolina Human Relations Board of Commission for investigation, conciliation and resolution.

Adopted this the 14th day of May, 2024.



Mayor



Attest
City Clerk

**CITY OF HIGH SHOALS
CDBG GRANT PROJECT BUDGET ORDINANCE
2022 NEIGHBORHOOD REVITALIZATION CDBG PROJECT**

BE IT ORDAINED by the City Council of the City of High Shoals that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project is hereby adopted:

Section 1. The project authorized is the Community Development Project described in the work statement contained in the Grant Agreement between this unit and the North Carolina Department of Commerce, Rural Economic Development Division. This project is more familiarly known as the 2022 Neighborhood Revitalization CDBG Project.

Section 2. The officers of this unit are 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 are anticipated to be available to complete this project:

Community Development Block Grant Funds	<u>\$950,000</u>
Total:	\$950,000

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

Rehabilitation/Single Family Dwellings	\$855,000
Planning	\$ 3,500
Program Administration	<u>\$ 91,500</u>
Total	\$950,000

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting information to the grantor agency as required by the grant agreement(s) and federal and state regulations.

Section 6. Requests for funds should be made to the grantor agency in an orderly and timely manner as funds are obligated and expenses incurred.

Section 7. The 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 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 Finance Officer for direction in carrying out this project.

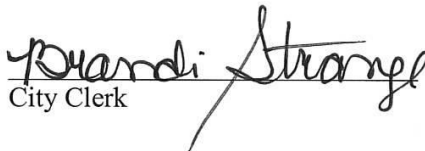
Adopted this the 14th day of May, 2024.

CITY OF HIGH SHOALS, NORTH CAROLINA



Mayor

Attest



City Clerk

- Discussion/Action: Audit Contract-Renewal for Fiscal Year 2023-2024
 - Motion to approve the contract made by Kathy Rhyne, seconded by Denese Cook. All in favor.
- Discussion/Action: Budget Amendment: Sanitation
 - Budget Amendment
 - credit 10-3740-0000 Sanitation User Fees for \$9,5000
 - debit 10-5800-8740 Capital Outlay \$2069
 - debit 10-5800-8170 Maintenance Truck \$7000
 - debit 10-5800-8450 GC Landfill Dumping Charges \$431

BUDGET AMENDMENT
May 14, 2024

BE IT ORDAINED by the governing body of the City of High Shoals that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2024, as follows:

Section 1. To amend the Capital Outlay appropriations as follows:

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
10-3740-0000	Sanitation User Fees		\$9,500

This will result in a net increase of \$10,000 in the appropriations for the following funds. To provide the additional revenue for the above, the following revenues will be increased.

10-5800-8740	Capital Outlay	\$ 2,069
10-5800-8170	Maintenance Truck	\$ 7,000
10-5800-8450	GC Landfill-Dumping Charges	\$ 431

Section 2. Copies of this budget amendment shall be furnished to the Clerk, to the Governing Board, and to the Budget Officer and the Finance Officer for their direction.

Adopted by Council, this 14th day of May 2024.


Pat Rathbone, Mayor

5/14/2024
Date


Brandi Strange, Clerk

5/14/2024
Date

- Motion made by Denese Cook to approve the budget amendment, seconded by Bo Rhyne & Kathy Rhyne simultaneously. All in favor.

- Discussion/Action: Batting Cages (WOW factor)
 - The team has asked permission to install a batting cage. If the team leaves, the batting cage will stay. The team is choosing between the picnic shelter and the field. The council discussed and suggested having the team place the batting cage behind center field in the nook area. Kathy Rhyne suggested that Bobby Vassey be shown where it should go. All members agreed that the batting cage should be placed behind the nook. (No motion was made).
- Discussion/Action: Water Grant training
 - We are required to do the training and there are two other classes that have to be attended in person. This is limited of when you can go. It is an all-day class, the day after the council meeting. Denese Cook said she can go with the City Clerk June 12th & 13th.
- Discussion/Action: Council Salaries
 - Motion to approve double the yearly salary for council made by Denese Cook, seconded by Kathy Rhyne. All in favor.
- Discussion/Action: Rate Increases
 - Water/sewer rates
 - Sanitation Rates
 - Cemetery Plot prices
 - Shelter/Park Rentals
 - Motion to accept with out-of-town rate increases for sanitation made by Kathy Rhyne, seconded by Denese Cook. All in favor.

High Shoals Fee Schedule for 2024-2025

Proposed for Fiscal Year 2024-2025

Ad valorem		\$0.32 per \$100
<u>Administration</u>		
City Hall Rental (per 4 hours)	Residents	\$150.00
City Hall Rental (per 4 hours)	Non-Residents	\$250.00
Sign Rental	Daily	\$5.00
	Weekly	\$10.00
Notary	Per Signature	\$10.00
Returned Check Fee		\$30.00
Returned Auto Draft Fee		\$30.00
Copies		\$0.15 per page
Large Copies		\$25.00
Fax/Receiving		\$3.00 first page, \$1.50 per additional page
<u>Cemetery</u>		
	City Residents	\$250.00
	Non-City Residents w/Family buried	\$900.00
	Non-City Residents w/o Family buried	\$1,300.00
<u>Roadside</u>		
Dump Truck Rental		\$100.00
Roadside pickup		based on weight
<u>Sanitation</u>		
Inside City Limits	Regular Cans	\$14.00
	Recycling Cans	\$12.00
	2 cans	\$26.00
	multiple sanitation	\$36.00
	Reg Cans_billed quarterly	\$60.00
Outside City Limits	Recycling Cans used as reg cans_Quarterly	\$54.00
	2 regular size cans	\$90.00
	1 reg can & 1 blue can	\$70.00
<u>Park/Recreation</u>		
Shelter Rental w/bathrooms(per 4 hours)		\$30.00
Shelter w/power (per 4 hours)		\$40.00
<u>Water/Sewer</u>		
	Service Connection Fee	\$25.00
	Water Tap (inside city limits0	\$3,000.00
	Water Tap (outside city limits0	\$3,500.00
	Commerical (Inside)	\$3,500.00
	Commerical (Outside)	\$4,500.00
	Sewer Tap (inside city limits0	\$3,000.00
	Sewer Tap (outside city limits0	\$3,500.00
	Commerical (Inside)	\$3,500.00
	Commerical (Outside)	\$4,500.00

- Discussion/Action: Budget Proposal for Fiscal Year 2024/2025
 - We had to vote on the previous items so at the next meeting, we will have the budget proposal. From that meeting and go into a recess for 10 days and we will have to reconvene to allow public comment and will be able to pass the next fiscal year budget for next fiscal year.
- *Motion to Adjourn*
 - Motion to adjourn made by Kathy Rhyne, seconded by Bobby Vassey. All in favor.