

## Ashley Honeycutt

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**From:** Adam Stumb <adam.stumb@ashecountygov.com>  
**Sent:** Monday, February 8, 2021 11:59 AM  
**Subject:** CDBG-CV  
**Attachments:** 504 ADA grievance-Ashe 2020 NRP.DOCX; Citizen Participation Plan (with virtual meeting language) - Ashe 2020.docx; Code of Conduct Resolution- Ashe NRP & CV 2020.docx; Equal Employment & Procurement Plan- Ashe NRP 2020.docx; Fair Housing Analysis of Impediments - Ashe 2020 NRP & CV.PDF; Fair Housing Complaint Procedure - Ashe 2020 NRP.DOCX; Fair Housing Plan- Ashe 2020 NRP.DOCX; Language Access Plan- Ashe 2020 NRP.DOCX; Local Economic Benefit---Section 3 Plan - Ashe NRP 2020.docx; Optional Coverage Relocation Benefit Policy - Ashe NRP 2020.docx; Optional Coverage Relocation Plan Resolution - Ashe 2020 NRP.DOCX; Policy Definitions- Ashe 2020 CV.DOCX; Procurement Policy - Ashe NRP & CV 2020.docx; Residential Antidisplacement and Relocation Plan- Ashe 2020.docx; Complaint Procedure- Ashe CV 2020.docx; Project Ordinance - Ashe CV 2020.docx

Ashe County received a \$900,000 Federal CDBG-CV (Community Development Block Grant – Corona Virus) last year to assist those in the County that are struggling with a lost job or lost wages to help pay utility bills. Prior to accepting these funds, the Federal government requires that the Board of Commissioners approve the following policies and procedures. Most of these are mundane in nature, but because of the number of different policies, I wanted to give ample time for your review by next Monday. In addition, Michelle Ball with the High Country Council of Governments, who will administer this grant for the County, will be on hand at the meeting to answer any questions the Board might have.

- 504/ADA Grievance Procedure
- Section 3 Plan – Local Economic Benefit....
- Procurement Policy
- Code of Conduct
- Residential Antidisplacement Policy
- Optional Coverage Relocation Plan
- Optional Coverage Resolution (for the OCR Plan)
- Citizen Participation Plan
- Project Ordinance
- Equal Employment & Procurement Plan
- Complaint Procedure
- Language Access Plan
- Fair Housing Plan
- FH Complaint Procedure
- FH Analysis of Impediments

Thanks,

**Adam Stumb, AICP**

Ashe County  
County Manager  
150 Government Circle, Suite 2500  
Jefferson, NC 28640

Office - 336-846-5501

## **CDBG Compliance Requirements**

**504 ADA Grievance Procedure** – Policy for the public to make claims of discrimination due to disability with regards to the denial of participation in a CDBG project.

**Local Economic Benefit for Low- and Very Low-Income Persons Plan (Section 3 Plan)** – The Plan states that the CDBG recipient will make a good faith effort to fill needed positions for CDBG construction projects with lower-income residents of the project area. Contractors and subcontractors have to adopt similar plans.

**Procurement Policy** – Policy the CDBG recipient is to follow in the procurement of Grant Administrative Services, Engineering Services, and Contractors for a project using CDBG funding.

**Code of Conduct** – Policy assuring that no member of the elected governing body, anyone in a decision making position, or their immediate family will *personally or financially* gain from a project using CDBG funding.

**Residential Anti-displacement and Relocation Assistance Plan** – Plan outlining the relocation procedures for those homeowners displaced by a project using CDBG funds.

**Optional Coverage Relocation Policy/Resolution** – The policy is adopted as an alternative to the Uniform Relocation Act. This allows the CDBG recipient to be more flexible in the assistance provided to those homeowners relocated because of participation in a CDBG project.

**Citizen Participation Plan** – Procedures for providing access to project information to the public. It includes the process for properly advertised public hearings in an accessible forum. Also included in the plan is a complaint procedure.

**Project Ordinance** – This ordinance provides the CDBG funding breakdown of the project. It alerts the CDBG recipient's finance office of the accounting requirements of the funding and how the funds should be tracked.

**Equal Employment and Procurement Plan** – The plan assures that CDBG recipients will not discriminate on the basis of religion, race, color, creed, sex, national origin, disability, or age as it pertains to their hiring practices of employees.

**Complaint Procedure** - The Procedure for the public to submit complaints to the governing body with regards to the current Scattered Site Housing Program.

**Language Access Plan (LAP)** – The procedure the County will follow to assist those citizens/applicants with Limited English Proficiency (LEP).

## **Fair Housing**

**Fair Housing Plan** – Plan outlines a list of quarterly activities to promote Fair Housing through the life of the project.

**Fair Housing Complaint Procedure** – The Procedure for the public to submit complaints to the governing body with regards to Fair Housing.

**Fair Housing Analysis of Impediments** – Report analyzing the fair housing impediments of the Town/County

**Ashe County  
150 Government Circle  
Suite 2400  
Jefferson, NC 28940**

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

Ashe County, North Carolina, hereby designates the County Planner, to serve as Section 504 Compliance Officer throughout the implementation of the Locality Community Development Program.

Citizens with Section 504 grievances may do so at any point in the program. Ashe County will respond in writing to written citizen grievances. Citizen grievances should be mailed to: Ashe County Planner, 150 Government Circle, Suite 2400, Jefferson, NC 28641, phone: (336) 846-5528, TDD: 7-1-1. The County 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 North Carolina Department of Commerce, CDBG Section, 4346 Mail Service Center, Raleigh, North Carolina 27699-4346, Phone: (919) 814-4600, TDD: 7-1-1. DOC will respond only to written comments within ten (10) calendar days of the receipt of the comments.

ADOPTED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Clerk to the Board

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

**Ashe County**

**I. APPLICATION AND COVERAGE OF POLICY**

The County is committed to the policy that, to the greatest extent possible, opportunities for training and employment be given to lower income residents of the community development project area and contracts for work in connection with federally assisted community development project be awarded to business concerns located or owned in substantial part by persons residing in the Section 3 covered area, as required by Section 3 of the Housing and Urban Development Act of 1968, Ashe County has developed and hereby adopts the following Plan:

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

This Section 3 covered project area for the purposes of this grant program shall include Ashe County and portions of the immediately adjacent area.

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

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

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

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

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

Each contract for housing rehabilitation under the program, as applicable, for jobs having contracts in excess of \$100,000 shall be required to submit a Section 3 Plan. This Plan will be maintained on file in the grant office and shall be updated from time to time or as the grant staff may deem necessary.

Early in our project, prior to any contracting, major purchases or hiring, we will develop a listing of jobs, supplies and contracts likely to be utilized during the project. We will then advertise the pertinent information regarding the project including all Section 3 required information. The NC Department of Commerce 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

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

The County will advertise in the local newspaper at least once during the life of the CDBG project soliciting the participation of Section 3 qualified and historically underutilized businesses (contractors) to be placed on solicitation lists.

All contractors will also be highly encouraged to sub-contract with Section 3 qualified businesses as well as hire any Section 3 qualified residents if additional workers are needed for the project.

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

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

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

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

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

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

☐ Other (describe):

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

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

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

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

### III. RECORDS AND REPORTS

Ashe County will maintain such records and accounts and furnish such information and reports as are required under the Section 3 regulations, and permit authorized representatives of NC Department of Commerce, 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 County shall report annually the Section 3 numbers using the form HUD 60002 to the Department of Commerce at the end of the calendar year as part of the Annual Performance Report (APR).

### IV. MONITORING COMPLIANCE

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

## V. COMPLAINTS CONTACT

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

**Adam Stumb**  
**Ashe County Manager**  
**150 Government Circle**  
**Suite 2500**  
**Jefferson, NC 28640**  
**(336) 846-5501**  
**adam.stumb@ashecountygov.com**

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Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chairman

ATTEST: \_\_\_\_\_  
Clerk



**RESOLUTION FOR ASHE COUNTY  
PROCUREMENT PLAN  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS, Ashe County is participating in the Community Development Block Grant Program under the Housing and Community Development Act of 1974 as administered through the North Carolina Department of Commerce; and,

WHEREAS, a Procurement Policy is required for the County's CDBG project;

NOW, THEREFORE BE IT RESOLVED, that to accomplish the above, Ashe County Board of Commissioners hereby adopts the attached Procurement Policy to be used throughout the implementation of this Community Development Block Grant project.

Duly adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ upon motion made by

Commissioner \_\_\_\_\_, seconded by

Commissioner \_\_\_\_\_, and adopted by the following vote:

Aye \_\_\_\_\_ No \_\_\_\_\_ Absent \_\_\_\_\_ Abstained \_\_\_\_\_

By: \_\_\_\_\_  
Todd McNeill, Chairman

Attest: \_\_\_\_\_  
Clerk to the Board

**ASHE COUNTY  
PROCUREMENT POLICY FOR THE  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

In the procurement of supplies, equipment, or services in the Ashe County CDBG-Neighborhood Revitalization Program (CDBG-NRP) and CDBG-Coronavirus program (CDBG-CV), 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 \$25,000. 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 responsible bidder whose bid conforming with all the material terms and conditions of the invitation for bids, is lowest in price.
- 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, 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 and minority business firms.

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

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

## **Code of Conduct Resolution**

### **County of Ashe**

WHEREAS, the Community Development Block Grant – U.S. Housing and Urban Development Programs of the Federal and State Governments requires Ashe County to maintain a written Code of Conduct for public officials (elected and appointed), officers, employees or agents engaged in the award or administration of contracts supported by federal funds; and

WHEREAS, no public official, employee, official, officer or agent of Ashe County shall participate in the selection or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, is involved; and

WHEREAS, Attachment O – Circular No. A-102 of the Code of Federal Regulations, section 7, entitled “Code of Conduct” defines such a conflict of interest that would involve a financial or other interest, real or apparent, is involved; and

WHEREAS, North Carolina General Statutes Chapter 14, Article 31, entitled “Misconduct in Office” provides standards, regulations, and penalties for violation of state and local laws by public officials, officers, and employees;

NOW, THEREFORE, BE IT RESOLVED that North Carolina General Statutes, Chapter 14, Article 31, entitled “Misconduct in Office” shall govern the code of conduct required by the Code of Federal Regulations, Attachment O, and Circular No. A-102, as set forth heretofore.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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Chairman

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Clerk

**RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION  
ASSISTANCE PLAN**

Ashe County will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR Section 42.325.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, Ashe County will make public the following information in writing:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units; and
6. The basis for concluding that each replacement dwelling will remain a low/moderate income dwelling unit for at least ten (10) years from the date of initial occupancy;
7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of lower-income households in the jurisdiction.

Ashe County will provide relocation assistance, as described in 24 CFR Section 42.325 to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling unit to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the Act, Ashe County will take the following steps to minimize the displacement of persons from their homes:

- 1) The County will attempt to renovate deteriorated units instead of demolishing them.
- 2) Only units which are beyond economical repair will be demolished.
- 3) Where feasible, the County will seek to locate community facilities and related development activities so as to minimize the impact on low/moderate occupied or vacant occupiable dwellings.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Clerk

OPTIONAL COVERAGE RELOCATION BENEFITS POLICY

FOR

ASHE COUNTY, NORTH CARONINA

ASHE COUNTY  
CDBG PROGRAMS  
*Updated January 1, 2021*

## **1. Organization and Administration**

Ashe County will coordinate all relocation activities (temporary or permanent) resulting from Community Development activities. Relocation assistance and payments will be provided to individuals and families displaced as a result of Community Development housing code enforcement, Voluntary Demolition, or other Community Development Activities that are not otherwise covered by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (hereinafter referred to as the "Uniform Act").

## **2. Eligibility**

Individuals and families residing in the Community Development Block Grant Project Area, that are displaced as a direct result of housing activities or other community development activities and which have unmet, long-term, relocation needs are eligible to receive assistance. In addition, eligibility of the individual or family must have been established and documented prior to the provision of financial assistance under this plan. Families who are permanently displaced due to unanticipated events such as fires, floods, or other man-made or natural disasters may also be eligible if they resided in the Community Development Block Grant Project Area identified in the application for grant assistance at the time of the disaster.

## **3. Authority**

Optional relocation benefits are authorized by the Uniform Relocation Assistance and Real Property Acquisition Policies Act and the interim rule which describes the "Act".

## **4. Assistance to be Provided**

The following optional relocation coverage relocation policy is to be used during the implementation of the Community Development Block Program. All persons displaced in accordance with this policy shall be provided relocation assistance in accordance with guidelines outlined under 49 CFR 24, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Program", except as outlined below:

- a) Displaced Person A displaced individual is someone whose home, which is located within Ashe County, is determined to be in a condition too dilapidated to be economically feasible to rehabilitate and will be demolished. This can also include a person temporarily displaced as a result of program activities such as housing rehabilitation.
- b) Initiation of Negotiations The term "initiation of negotiations" shall be defined under this policy to mean the date the Notice of Relocation Eligibility is issued to the occupant.

- c) Comparable Replacement Dwelling The term “comparable replacement dwelling”, as defined under 49 CFR 24, shall be redefined under this policy to mean a dwelling in which is (1) decent, safe, and sanitary as defined in 49 CFR 24.2(a)(8); (2) functionally equivalent to displacement dwelling; (3) adequate in size to accommodate the occupants; (4) on a site not subject to adverse environmental conditions; (5) in a location generally not less desirable than the location of the displaced person’s dwelling with respect to public utilities, commercial and public facilities, and reasonably accessible to the person’s place of employment; (6) on a site that is typical in size for residential development with normal site improvements including customary landscaping. The site will not include special improvements such as outbuildings, swimming pools, or greenhouses; (7) currently available to the displaced person in the private market; however, a government subsidized dwelling unit will be considered comparable if it meets standards (1) through (6) above and the displacement dwelling is government subsidized and (8) within the financial means of the displaced person, as defined under 49 CFR 24.2(a)(9). Circumstances permitting temporary relocation and basic conditions of an emergency move will be followed in accordance with 49 CFR 24.203(c)(4) and 49 CFR 24.204(b) and (c).
- d) Relocation Notices A “Notice of Relocation Eligibility” outlining all information described under 49 CFR 24.203 (a) and (b) will be sent by certified mail or hand delivered to all displaced individuals concurrently with any letter or document initiating negotiations for the displacement dwelling. Additionally, the Project Manager will, in all cases, precede the initiation of negotiations with a documented personal interview with the individual to be displaced. Ninety-day notices shall be prepared in issued in accordance with 49 CFR 24.203(c).
- e) Level and amounts of CDBG assistance available to eligible individuals and families shall include the following limits:
- 1) Homeowner Replacement Housing Payment- eligible homeowners, as defined by 49 CFR 24.401(a) may receive a replacement housing payment, as computed in accordance with 49 CFR 24.401.
  - 2) Down-payment Assistance – down-payment assistance for eligible tenants or homeowners as defined by 49 CFR 24.402(a) may be received in an amount equal to the relocation benefits, as computed in accordance with 49 CFR 24.402(c), for at tenant or homeowner.
  - 3) Rental Assistance – eligible tenants as defined by 49 CFR 24.402(a) may receive an amount for rental assistance as compute din accordance with 49 CFR 24.402(b).

- 4) Moving Expenses – an eligible individual or family may receive moving and related expenses as calculated in accordance with 49 CFR 24.302 (see Table 1)
- 5) Eligible individuals or families may receive assistance in the form of relocation planning, advisory and coordination services consistent with those described in Section 24.205 of the URA. These shall include, but not be limited to, the provision of transportation as deemed necessary and reasonable to support the relocation, assistance in submitting claims for payment, counseling and education on relocation regulations and coordinating these activities with existing social service and economic assistance programs as they are available.
- 6) Eligible tenants may elect assistance as described in Section 104(d) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act and further described in Sections 570.496.a(b) and 570.606(b) of the interim rule. Their rental assistance provided for relocation under this section is as follows:
  - i. A choice between actual reasonable moving expenses as described in 24 CFR 42.301(b)(1) or a fixed expense as described in 24 CFR 42.302. See Table 1 below for the North Carolina fixed expense schedule as prepared by the US Department of Transportation.

Table 1

Occupant Owns Furniture									Occupant Does Not Own Furniture	
Number of Rooms of Furniture								Each Add'l Room	First Room	Each Add'l Room
1	2	3	4	5	6	7	8	\$150	\$350	\$50
\$550	\$750	\$1,050	\$1,200	\$1,350	\$1,600	\$1,700	\$1,900			

- ii. Advisory Services as described in 24 CFR Part 42, Subpart C.
- iii. Reimbursement for reasonable and necessary security deposit and credit checks.
- iv. Replacement Housing Assistance – A person choosing to rent must be offered either (1) a Section 8 housing voucher/certificate (through the housing authority) and referrals to comparable replacement dwelling unit where the owner agrees to participate in the Section 8 Program or (2) cash rental assistance to reduce the rent and utility costs to 30% of his/her income (adjusted, as determined by grantee/recipient) for a 5-year period and appropriate referrals to comparable replacement dwellings.



- f) To prevent “windfall”, rental assistance payments to tenants who pay little or no rent, the following procedure will be utilized:
- 1) Prior to computing rental assistance the Project Manager will determine the fair market rent for the displacement dwelling. If the existing rent is above 75% of the fair market rent the existing rent shall be used to compute the rental assistance payment. However, if the existing rent is less than 75% of the fair market rent, the fair market rent shall be used to compute the rental assistance payment.
  - 2) In situations where fair market rent is utilized to compute the rental assistance payment and the tenant’s non-subsidized total monthly housing cost is not affordable after relocation, the rental assistance payment shall be increased to the extent necessary to insure an affordable monthly housing cost (i.e., total non-subsidized housing costs less than 30% of gross income).
  - 3) Actual rent may be used for tenants paying little or no rent if the use of fair market rent would create an undue hardship and prevent the person from obtaining comparable standard replacement housing.
- g) Owner-occupants of displacement mobile homes situated on a rented site are eligible for down-payment assistance for purchase of a new mobile home site in lieu of a rental assistance payment, in addition to a replacement housing payment, if a comparable rental site cannot be located on a timely or cost-effective basis.
- h) If such assistance as prescribed in the above sections is not sufficient to completely relocate a household in accordance with the Uniform Relocation Assistance and Real Property Acquisition Regulations (49 CFR 24), the grantee/recipient may provide additional assistance as outline in 49 CFR 24-404, Replacement Housing of Last Resort.

## **5. Affirmative Action for Low-Income and Minority Persons**

All Relocation assistance provided under this plan will be undertaken in a non-discriminatory manner. Any low-income or minority individual or family assisted under this plan shall not be required to move to an area of low-income and/or minority concentration as a condition of receiving relocation assistance, unless they have been given opportunities to relocation to a comparable replacement dwelling that is not located in an area of low-income and/or minority concentration, if such opportunities are available.

## **6. Temporary Relocation**

Rehabilitation shall be conducted without relocation of the affected occupants to the greatest extent feasible. Should relocation be necessary, and should available temporary housing be substandard by the above definition, the minimum standards set forth shall not apply. Such relocation shall be accomplished at the minimum feasible cost. Of the two moves involved, (out of and back into the rehabilitated structure) one may be financed under a Fixed Payment for Moving Expenses as described below. Temporary relocation payments will be limited to cover only those expenses that would not otherwise be normal to the relocatee. That is to say, expenses that are directly relocated to the temporary relocation and which are above and beyond the normal expenses incurred by the relocatee. These would include, but not be limited to, reasonable expenses for lodging for the period of dislocation, travel expenses to and from the lodging or other temporary relocation site, costs for temporary storage of household belongings. This would not include reimbursement for expenses that would otherwise be incurred (meals, normal travel, etc.) Relocatees are required to submit receipts to the County documenting the expenses for which they are requesting reimbursement.

## **7. Relocation Record-keeping**

Complete records, documents, and justification for payments made pursuant to this plan shall be maintained in accordance with the guidelines under 49 CFR 24.9 of the "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs".

## **8. Complaint Procedure**

Ashe County conforms to standard, ethical practices in the relocation of individuals and families and desires to see that all interests are protected. If there are any questions or complaints, Ashe County solicits the cooperation of all owners and requests an opportunity to discuss them in an effort to satisfy all parties concerned. The County has adopted the following Complaint Procedure:

Citizens may make comments at any point in the program including planning, implementation, and closeout. Ashe County will respond in writing to written citizen comments. Citizen comments should be mailed to the Ashe County Manager, 150 Government Circle, Suite 2500, Jefferson, NC 28640. The County will respond to all written comments within ten (10) calendar days of receipt of the comments.

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

If the complaint cannot be resolved in this manner, a meeting with the Ashe County Manager to discuss the complaint should be requested. The request should be in writing and should briefly outline the complaint. A meeting date and time will be established within five (5) calendar days of receipt of the request. Upon meeting and discussing the complaint, 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 North Carolina Department of Commerce, Rural Economic Development Division, 4346 Mail Service Center, Raleigh, NC 27699-4346. REDD will respond **only to written comments** within ten (10) calendar days of the receipt of the comments.

## **OPTIONAL COVERAGE RELOCATION PLAN RESOLUTION ASHE COUNTY, NORTH CAROLINA**

A Resolution Authorizing the Adoption of an Optional Coverage Relocation Plan for the Ashe County Community Development Block Grant Program.

Be it resolved by the Board of Commissioners of Ashe County, North Carolina, That:

**WHEREAS**, Ashe County is participating in the Community Development Block Grant Program under the Housing and Community Development Act of 1974, as amended, administered by the North Carolina Department of Commerce; and

**WHEREAS**, the relocation of individuals and families is an eligible activity under this program;

**WHEREAS**, Ashe County has been allocated funds under Title I of the Housing and Community Development Act of 1974; and

**WHEREAS**, it is the objective, spirit and intent of the Community Development Block Grant to achieve the revitalization of neighborhoods through improvements of housing conditions for low and moderate income citizens; and

**WHEREAS**, the rehabilitation of some dwellings units is so extensive that the work cannot be accomplished without temporarily dislocating the residents from their properties; and

**WHEREAS**, some occupied dwelling units are unfit for human habitation, financially and structurally no feasible for rehabilitation, and require demolition; and

**WHEREAS**, it is often undesirable to permanently dislocate some residents from their properties, change their status from homeowners to tenants, or increase their financial burden for housing costs; and

**WHEREAS**, Section 105(a)(11) of the Housing and Community Development Act of 1974, as amended, permits a CDBG grantee to design and administer an "Optional Coverage" relocation program which can provide benefits to displaces of dilapidated units which are subject to removal through local code enforcement activities (without real property acquisition), voluntary demolition, or provide assistance to residents that are temporarily dislocated from their properties; and

**WHEREAS**, such relocation benefits must be utilized by the qualified recipient to obtain standard housing, cover moving expenses and related costs for those individuals displace by grant activities; and

**WHEREAS**, an Optional Coverage Relocation Plan has been prepared and has been reviewed by the Board of Commissioners of Ashe County; and

**WHEREAS**, it is the desire of Ashe County to foster such worthy objectives with the Community Development Block Grant Program.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Ashe County, North Carolina hereby adopt the attached policy of Optional Coverage Relocation Plan, as set forth in Section 105(a)(11) of the Housing and Community Development Act of 1974, as amended. Such plan is to cover any and all financial obligations incurred during any necessary relocation of affected citizens.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Clerk

## **CITIZEN PARTICIPATION PLAN**

This plan describes how Ashe County 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 require 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 Ashe County. Ashe County 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 Ashe County and their comments considered prior to acting. 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 Adam Stumb, County Manager. He will respond in writing within ten (10) days. If the response is unsatisfactory, the complainant should write directly to Ashe County Chairman. He or She 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 Division/State CDBG Program, 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 919-814-4663

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 Ashe County. 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 County 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.

Ashe County 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 Ashe County Manager's Office 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 Ashe County Manager's Office 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.
5. Public hearing accommodations and accessibility  
**Virtual Hearings** - During a declaration of a state of emergency by the Governor or General Assembly, and if a local unit of general government is concerned about significant public health risks that may result from holding an in-person public hearings, the local unit of general government may undertake a virtual public hearing (alone, or in concert with an in-person hearing) if:
  - It allows questions in real time, with answers coming directly from the elected representatives to all "attendees." Therefore, members of the public must be entitled to participate and address the governing body during any telephonic or video-conference meeting.

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

ADOPTED, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Clerk



**Ashe County**  
**Grant Project Ordinance**  
**Community Development Block Grant –**  
**Coronavirus Program (CDBG-CV)**  
**CDBG #20-V-3509**

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**BE IT ORDAINED** by Ashe Board of Commissioners, 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 Department of Commerce.

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 available to complete this project:

Community Development Grant	\$900,000.00
<b>Total</b>	<b>\$900,000.00</b>

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

Ashe County CDBG-Coronavirus Program CDBG #20-V-3509

Public Service (Subsistence Payments)	\$ 810,000
Administration and Planning	<u>\$ 90,000</u>
<b>Total Project</b>	<b>\$ 900,000</b>

Section 5. The Finance Officer is hereby directed to maintain within the Grants Project Fund sufficient specific detailed accounting records to provide the accounting to the grant agency 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 grant revenues received or claimed.

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

Section 9. Copies of this Grant Project Ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Chairman

**ATTEST:**

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Clerk

## **EQUAL EMPLOYMENT AND PROCUREMENT PLAN**

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

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

The County shall strive for greater utilization of all persons by identifying previously underutilized 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 County Manager and/or other persons designated by the manager or Board of Commissioners to assist in the implementation of this policy statement.

The County shall develop a self-evaluation mechanism to provide for periodic examination and evaluation. Periodic reports as requested on the progress of equal Employment Opportunity and Affirmative Action will be presented to the Board of Commissioners by the County Manager.

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Clerk

**ASHE COUNTY**  
**COMMUNITY DEVELOPMENT BLOCK GRANT**  
**COMPLAINT PROCEDURE**  
**CDBG-Coronavirus Program**

The following citizen complaint procedures are intended to provide a timely written response to all complaints and grievances made against Ashe County's Community Block Grant – Coronavirus Program (CDBG-CV).

1. A person who has a comment or complaint about the services funded or to be funded by the CDBG-CV program administered by the County may submit such comment or complaint in writing to the Ashe County Manager, 150 Government Circle, Suite 2500, Jefferson, NC 28640.
2. The written complaint shall include a description of the matter causing the grievance and contact information for the complainant including name, physical and mailing address, and phone number.
3. The County Manager will, within fifteen (15) business days of receiving the comments or complaints, investigate and determine an appropriate response.
4. A determination, to include any findings and response, will be rendered within thirty (30) days of the receipt of the complaint and sent to the complainant at the address provided.
5. If the person(s) filing the complaint are not satisfied with the County Manager's determination they may contact in writing the North Carolina Department of Commerce, Rural Economic Development Division, State CDBG Program, 4346 Mail Service Center, Raleigh, NC 27699-4346 Attn; Citizen CDBG Complaint.

If you have any questions about the complaint procedure or would like to register a complaint, please contact the Ashe County Manager at the address above or by phone at (336) 846-5501. For the hearing impaired, TTY assistance is available at 7-1-1.

ADOPTED, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

By: \_\_\_\_\_  
Chairman, County Commissioners

ATTEST:

\_\_\_\_\_  
Clerk

SEAL

## Language Access Plan

### **Ashe County CDBG Programs**

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 CDBG programs or activities administered by Ashe County 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 February 15, 2021 for a period of three (3) years.

#### **I. Scope of Policy**

These requirements will apply to Ashe County (**herein referred to as “the agency”**) including subcontractors, vendors, and sub-recipients specific to CDBG, CDBG-R, CDBG-CV and CDBG-NRP funded programs.

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.

#### **II. 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 (within reasonable notice), 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.

### III. Providing Notice to LEP Individuals

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 of this policy. Such notification will also identify the name, office telephone number, and office address of the Title VI compliance officer(s).

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

*Adam Stumb*  
*Ashe County Manager*  
*150 Government Circle*  
*Jefferson, NC 28640*  
*(336) 846-5501*  
[adam.stumb@ashecountygov.com](mailto:adam.stumb@ashecountygov.com)

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

- A. 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:

*These signs will be posted on the public bulletin board at the Ashe County Courthouse.*

- B. 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).
- C. The agency will also disseminate information in the following manner:

*Printed information will be made available at selected agency owned buildings that explain the rights provided by this policy. In addition, the policy will be accessible on the County's website.*

### IV. 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.

Check all methods that will be used:

☒ 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:

*Ashe County has access to a qualified interpreter to be used when necessary. If the interpreter is not able to assist the Limited English Proficient person in a reasonable amount of time, a telephone interpreter service will be used.*

- 2. The agency will provide language assistance at all level of interaction with LEP individuals, including telephone interactions.

This requirement will be met by:

*At the initial point of contact, it will be determined by the agency or administration staff if the LEP individual is proficient enough in English to proceed or that translation services are required. If the individual needs or requests translation services, their contact information will be taken. Agency staff will contact the LEP individual and provide the required translation services. If neither administration staff nor Ashe County staff is available to provide translation services in a reasonable amount of time, telephone translation service will be provided at the cost of the County.*

3. 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:

*Ashe County will ensure that if bilingual interpreters do not have a basic understanding of the CDBG program then a member of the CDBG administrative staff will accompany the interpreter. In addition, Ashe County will ensure that the bilingual interpreter understands the need for confidentiality and cultural competency, and will provide an CDBG administrative staff person to accompany the interpreter to provide more detailed explanations of the CDBG program and requirements should the need arise. When CDBG administrative staff members have reason to believe that an interpreter is not qualified or properly trained to serve as an interpreter, the CDBG administrative staff member will request another interpreter.*

- 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.
3. 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 or 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 DEPARTMENT OF COMMERCE upon request.

4. 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 the Department of Commerce 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 the Department of Commerce 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 the Department of Commerce 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.
3. The agency will ensure that applicable grantees, contractors, cooperative agreement recipients and other entities receiving state or federal dollars are trained in the requirements of this policy.

Describe how this provision will be met:

*Any consultants hired by the agency to provide CDBG grant administration will be made aware of and will be required to attend any training required by the Department of Commerce concerning this policy. Consultants will then be required to insure compliance with this policy with any engineers or contractors procured to complete CDBG activities.*

4. 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.

**V. Compliance Procedures, Reporting and Monitoring**

**A. Reporting**

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

**B. Monitoring**

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

**VI. 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 the Department of Commerce, 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 Department of Commerce 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 the Department of Commerce, then complaint will be forwarded to DOJ, HUD Field Office.

SUBMITTED AND APPROVED BY:

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Todd McNeill, Chairman

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Date

## Recipient's Plan to Further Fair Housing

**Grantee:** Ashe County

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**Recipient's Address:** 150 Government Circle, Jefferson, NC 28640

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**Contact Person:** Adam Stumb

**Contact Phone #:** (336) 846-5501

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**Contact Email:**

adam.stumb@ashecountygov.com

**TDD/RelayNC # :** 7-1-1

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- 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 primary obstacles to affirmatively furthering fair housing in Alleghany County are the following:

1. A large number of people within the community are unaware of the existence of fair housing laws;
2. Many residents do not understand the rights and responsibilities of individuals covered by fair housing laws;

- 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: Ashe County**

<b>Quarterly Fair Housing Activity</b>	<b>Months</b>	<b>Year</b>	<b>Estimated Cost</b>	<b>Actual Cost</b>
Adopt FH policy, Complaint Procedure	Jan. – Mar.	2021	\$0.00	
Publish FH Complaint Procedure in local newspaper	Apr.-June	2021	\$100.00	
Provide FH brochures in County buildings.	July-Sep.	2021	\$30.00	
Provide area realtors and local lenders with HUD homebuyer information.	Oct.-Dec.	2021	\$75.00	
Provide County buildings with landlord/tenant information.	Jan.-Mar.	2022	\$30.00	
Provide local Cooperative Extension and Social Services office with Fair Housing and HUD homebuyer materials.	Apr.-June	2022	\$30.00	
Replenish Fair Housing information as needed in County buildings.	July-Sep.	2022	\$30.00	
In March Adopt a Fair Housing Resolution in support of Fair Housing Month (April)	Oct.-Dec.	2022	\$0.00	
Post Fair Housing Resolution and Current FH Complaint Procedure on County website.	Jan.-Mar.	2023	\$0.00	
Replenish landlord/tenant information in County Buildings as necessary	Apr.-June	2023	\$30.00	
Post FH Complaint Procedure in County buildings	July-Sep.	2023	\$5.00	
Replenish FH brochures as needed in County buildings.	Oct.-Dec.	2023	\$30.00	

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 Alleghany County may do so by **informing the County Manager** of the facts and circumstance of the alleged discriminatory acts or practice.
- 2) Upon receiving a housing discrimination complaint, the County Manager shall acknowledge the complaint within **10 days in writing** and inform the NC Department of Commerce and the North Carolina Human Relations Commission about the complaint.
- 3) The County Manager shall **offer assistance** to the Commission in the investigation and reconciliation of all housing discrimination complaints which are based on events occurring in the county.
- 4) The County Manager shall **publicize** in the local newspaper, with the TDD#, who is the local agency to contact with housing discrimination complaints.

**Approved By:**

**Todd McNeill, Chairman**

**Name and Title of  
Chief Elected or Executive Officer**

**Signature**

**Date**



# ASHE COUNTY

## FAIR HOUSING COMPLAINT PROCEDURE

Ashe County has Community Development Block Grant (CDBG) projects currently in progress. The CDBG program requires that a Fair Housing plan and complaint procedure be adopted by the County.

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, Ashe County has adopted the following procedures for receiving and resolving housing discrimination complaints:

1. Any person or persons wishing to file a complaint of housing discrimination in Ashe County may do so by informing the Ashe County Manager of the facts and circumstances of the alleged discriminatory act or practice.
2. Upon receiving a housing discrimination complaint, the Ashe County Manager shall inform the North Carolina Human Relations Commission (Commission) about the complaint. The Ashe County Manager shall then assist the Commission and the complainant in filing an official written housing complaint with the Commission, pursuant to the State Fair Housing Act and Title VIII.
3. The Ashe County Manager shall offer assistance to the Commission in the investigation and conciliation of all housing discrimination complaints, which are based upon events occurring in Ashe County.
4. The Ashe County Manager shall publicize that the Ashe County Manager is the local official to contact with housing discrimination complaints based upon events occurring in Ashe County by posting this complaint procedure in the County Administration Building and Courthouse and publishing it in the local newspaper.
5. All complaints shall be acknowledged within ten (10) days of receipt.

If you have any questions about the complaint procedure or would like to register a complaint, please contact The Ashe County Manager by mail at 150 Government Circle, Suite 2500, Jefferson, NC 28640 or by phone at (336) 846-5501 or for TDD assistance call 7-1-1.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Clerk

**ASHE COUNTY  
ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING  
FEBRUARY 2021**

The Department of Housing and Urban Development is committed to eliminating racial and ethnic segregation and other discriminatory practices in housing and will use all its programmatic and enforcement tools to achieve this goal. The fundamental goal of HUD's fair housing policy is to make housing choice a reality through Fair Housing Planning. Fair Housing Planning involves three main steps:

1. Conducting an analysis of impediments to fair housing choice within the jurisdiction;
2. taking appropriate actions to overcome the effects of any impediments identified through the analysis; and
3. Maintaining records reflecting the analysis and actions taken.

This report is the analysis of impediments to fair housing. This analysis has been completed for the Ashe County CDBG Neighborhood Revitalization Program to begin February 2021. This analysis of impediments and a Fair Housing Plan will be incorporated into the Ashe County CDBG Policies and Procedures.

The analysis of impediments (AI) is a review of impediments to fair housing choice in the public and private sector. The AI involves a comprehensive review of the jurisdiction's laws, regulations, policies, procedures, and practices. It involves an assessment of how those laws, etc. affect the location, availability, and accessibility of housing. It also includes an assessment of conditions, both public and private, affecting fair housing choice for members of the protected groups.

Specifically, impediments to fair housing choice are any actions, omissions, or decisions, which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

The AI includes an analysis of demographic data and a housing needs assessment. It then includes an analysis to determine the nature and extent of discrimination against the protected groups within the jurisdiction. The format used to conduct this analysis is a fair housing planning model developed for use by local government CDBG grantees by the North Carolina Department of Commerce.

## Analysis to Demographic Data and Needs Assessment

### Step 1 Demographic Data

		Number	%
1.	Total Population for jurisdiction	26,863	
2.	Total Caucasian population	25,627	95.4%
3.	Total African-American population	188	0.7%
4.	Total Native American population	107	0.4%
5.	Total Hispanic Population	1,343	5.0%
6.	Total elderly population (65+)	8,033	29.9%
7.	Median family income	\$40,962	
8.	Percent of the population below the poverty level		16.3%
9.	Percent of families below the poverty level		10.4%
10.	Total number of households with 4 or more persons	1,669	14.0%
11.	Total number of persons identified with disabilities	4,215	15.8%
12.	Total number of low income census tracts	3	
13.	Total number of minority census tracts	0	
14.	Total number of census tracts that are minority/low-income	0	

Source: 2019 American Community Survey (ACS), 5-year estimates

Most of the data used in this AI is from the 2019 American Community Survey (ACS) 5-year estimates. However, Decennial Census data may be used to demonstrate changes in demographics.

Between 2000 and 2010, the total population of Ashe County increased from 24,384 to 27,281, a change of 11.88%. The 2019 ACS estimates that the actual population is 26,863, a decrease of 1.53% from the 2010 figures.

Per the 2017 ACS Caucasians average 95.4% of the population; African-Americans comprise 0.7%; Hispanics comprise 5.0% of the population. There are no major concentrations of racial/ethnic populations in Ashe County.

## **Step 2 Analysis to Determine Disproportionate Housing Need**

**Total Households, Types and Size.** According to the 2019 ACS, there are 17,738 housing units in Ashe County, 5,800 (32.6%) of which are vacant. Of the total occupied units, 75.8% are owner occupied and 24.2% are renter occupied. Of the vacant units 3.2% are rental units and 72.4% are for seasonal, recreational, or occasional use.

When the occupancy of a home is more than one person per room, overcrowding exists. There is a low occurrence of overcrowding in Ashe County with only 1.2% of the homes reporting more than 1 person per room. The average household in Ashe County size is 2.29 people.

**Household Income.** Median household income in Ashe County is \$40,962. It is estimated that 10.4% of the families in Ashe County are living below the poverty level.

**Condition of Housing Units.** Of the total housing units in Ashe County, it is estimated that 3,417 (19.26%) are substandard. These figures are based on the number of homes built before 1950 plus the number of homes that lack complete plumbing and kitchen facilities. Census data does not determine the condition of a housing unit beyond its age, completeness of plumbing and kitchen facilities, and type of heat. An older home will need more repairs and updating but may be perfectly suitable for rehabilitation. A home lacking complete plumbing or kitchen facilities may not be cost effective to rehabilitate. Data shows that 0.61% of housing units in the County lack complete plumbing and kitchen facilities.

## **Analysis to Determine the Nature and Extent of Discrimination**

### **Step 1 Analysis of the Level of Segregation and Spatial Isolation**

1. **Are there areas of minority concentration within your jurisdiction?** There are no areas of minority concentration within Ashe County. (see attached map of Minority Concentration, source: EPA-EJScreen).
2. **Is your community located in a County that has been identified in Residential Segregation in North Carolina: A Barrier to African-American Opportunities as highly segregated by both isolation and dissimilarity indexes?** A copy of Residential Segregation North Carolina: A Barrier to African-American Opportunities was not available for review while compiling data.

### **Step 2 Historical Incidences that Contribute to Current Housing patterns.**

1. **History of public policy decisions on segregation within the Community.**  
There have been no known decisions on segregation.
2. **Number of farms that utilize migrant workers and its effects on housing patterns.** Per the 2017 USDA Census of Agriculture there are 864 farms/agricultural businesses in Ashe County, with the majority using migrant workers. There is a need for more affordable short-term rental housing in the County. (see attached excerpt of the 2017 USDA Census of Agriculture summary)

3. **Industry contributions to current housing patterns.** Industry has had a small impact on housing patterns in Ashe County. The largest employers, with approximately 14.4% of the available jobs in Ashe County, are Health Care & Social Assistance agencies. Falling close behind are retail, construction & manufacturing. (source: DATA USA)



### Step 3 Fair Housing Enforcement

1. **Do you have a fair housing ordinance?** Yes.
2. **What mechanism exists for citizens to file complaints alleging illegal discrimination in programs or services funded by your jurisdiction?** At this time, written policies are in place regarding the Ashe County CDBG Programs and fair housing complaint procedures instructing persons wishing to file complaints alleging illegal discrimination to first submit their complaint in writing to the Ashe County Manager. If the complaint cannot be resolved at that level, the complainant is referred to the NC Human Relations Commission, which has been charged with investigating Fair Housing Complaints within North Carolina.
3. **Do you have an Affirmative Marketing Plan?** Ashe County has no formal Affirmative Marketing Plan. The County does not own any housing developments or operate any housing programs.
4. **The number of discrimination complaints filed against your jurisdiction within the past two years and the results of any investigations.** None.
5. **The number of discrimination complaints filed with the North Carolina Human Relations Commission or HUD originating in your jurisdiction and the results of any investigations.** None.
6. **Number of findings related to Fair Housing or Equal Opportunity issued against your jurisdiction and the corrective action taken.** No complaints have been filed; therefore, no findings have been issued.

#### **Step 4 Education and Outreach efforts**

1. **Identify all resources available for the promotion of fair housing and equal opportunity.** Ashe County has two radio stations, WMMY a FM station and WKSI an AM station. There is one weekly newspaper in the County, The Ashe Post & Times. The County is served regionally by two daily publications, Charlotte Observer, and Winston-Salem Journal. Ashe County is in an overlap of two television markets, the Tri-Cities (Johnson City, Kingsport TN & Bristol VA/TN) market and the Charlotte, NC market. The major affiliates in these areas are WSOC, an ABC affiliate and WBTV, a CBS affiliate out of Charlotte, WJHL, a CBS affiliate out of Johnson City, Tn and WCYB an NBC affiliate, broadcasting out of Bristol TN/VA. In addition, Fair Housing Materials are distributed in the Ashe County Government Offices and are available to the public. NC Human Relations Commission; HUD-Greensboro, Office of Fair Housing.
2. **How are citizens made aware of these activities?** Fair Housing notices are posted in all County owned facilities; the Fair Housing Complaint Procedure is published in the local newspaper; and Fair Housing brochures and pamphlets are made available to the public in county buildings and sent to lending agencies, realtors, and housing providers to disseminate to their customers.
3. **List all such activities during the past two years. What were the results of these activities?** Ashe County has not participated in a countywide federally funded project in the past two years and therefore has not conducted any organized Fair Housing activities during this time period.

#### **Step 5 Examination of Public Policy and Programs**

1. **Do current site selection policies have a disproportionate impact based upon a protected basis? If so, is there a nondiscriminatory reason for this policy and is there an alternative that would have a less discriminatory impact?** No site selection policies discriminate against protected class members.
2. **Are municipal services equitably distributed throughout the community?** Services provided by Ashe County include law enforcement (County Sheriff's Office), Veterans Services, Department of Social Services (DSS), Transportation Services, and County Road Maintenance (including repairs and snow removal). These services are equitably distributed throughout the County, with the exceptions of the Towns of Jefferson, Lansing, and West Jefferson. The Towns each have their own law enforcement, public water & sewer, trash removal, and road maintenance and like the County all services are equitable distributed.
3. **Are there any zoning requirements that have the effect of limiting housing opportunities to protected groups?** Ashe County has no formal zoning. Ordinances have been adopted by Ashe County to regulate commercial and residential development. The ordinances are in place for environmental protection, including building restrictions on ridges, in the floodplain, and in wetlands. These ordinances are in place to protect the County no to limit housing opportunities to any group.

4. **Are there any Community Development or Public Housing Authority activities or programs that have the effect of perpetuating segregation?** There are no Community Development or Public Housing Authority activities or programs within Ashe County that perpetuate segregation.
5. **Is the Board and Commissions representative of the community?** The Ashe County Board of Commissioners consists of four Caucasian men and one Caucasian woman.

#### **Step 6 Discrimination in the Rental Market**

1. **Are there any zoning requirements that have the effect of limiting the availability of rental units within the jurisdiction?** No. Such limitations are illegal.
2. **Where are the rental units located? Are they located in areas of minority concentration?** Four low-income, multi-family rental complexes are in the Town of Jefferson and three located in the Town of West Jefferson. There are various single-family rentals scattered throughout the county.
3. **Where are the public housing units located?** There are four (4) public housing apartment complexes for elderly and disabled persons located Jefferson; two (2) operated by Northwestern Regional Housing Authority (NWRHA) and two (2) that are owned and operated by private management companies. There are three (3) complexes located in West Jefferson, all owned and operated by private management companies. Ashe County does not own or operate any public housing.
4. **Determine what barriers exist for protected class members in the rental market.** Protected class members may be unaware of services available and laws affecting them.
5. **Are vouchers and Section 8 certificate holders able to find housing throughout the community? If not, identify the barriers that face them.** Rental housing is available to Section 8 participants in Ashe County.
6. **Is steering an issue for protected class members?** There is no evidence (i.e., complaints filed with the NC Human Relations Commission). A survey of renters is needed to determine the extent of discrimination in the rental housing market. Realtors in the Ashe County do not work in the rental market unless they have a direct interest in the properties. Most of the apartment/multi-unit complexes are designed for the large student population and they usually have their own management companies.
7. **Is housing available for families with children and persons with disabilities?** Yes.

### **Step 7 Discrimination in the Sales Market**

1. **Does the Local Association of Realtors have an MLS Service?** The High Country Association of Realtors, which serves Ashe County, has an MLS Service.
2. **Is the Local Association of Realtors a VAMA signatory?** This information is currently unavailable.
3. **Is there any evident of racial steering or blockbusting within the local market?** No.
4. **What are the relative housing values for minority and non-minority communities of similar economic composition?** The housing values are similar.
5. **Identify any barriers to home ownership opportunities within your jurisdiction.** Low-income individuals may not be able to own homes due to high property values in the area. However, an increase availability of mobile home units offers these families the ability to own.

### **Step 8 Discrimination in Financing**

1. **Are local lenders signatories of HUD's Best Practices Program?** No known local bank branch is a signatory.
2. **Examine the Home Mortgage Disclosure Act information in your area. Is there evidence of higher denial rates for minorities and low-income individuals?** There is no evidence of higher denial rates for minorities and/or low-income individuals.
3. **Is there evidence of illegal redlining?** No.
4. **Are banking services available on an equal opportunity basis?** Yes. However, the only banks are located only in the Towns of Jefferson and West Jefferson, requiring transportation for rural residents that may not have access to online banking.
5. **Examine the Community Needs Assessment and Community Reinvestment Activities of local banks to determine the adequacy of these activities as compared to community needs as determined through the jurisdiction's planning process.** This information is currently unavailable.
6. **Do local financial institutions participate in housing projects or in the funding of housing related services sponsored by the jurisdiction?** The jurisdiction does not have any housing projects or related services.



### **Step 9 Discrimination in the Building and Construction Industry**

1. **Do local building codes include the requirements of the Federal Fair Housing Act of 1988?** No. The county has adopted the North Carolina Building Codes. By adopting the Fair Housing Act of 1988, the building inspections departments would be placed in the position of enforcing fair housing laws, which is not seen as technical building code, but a civil rights function.
2. **If not, how are local builders and architects made aware of these requirements?** The information is available directly from HUD and can be obtained easily.
3. **How many multifamily dwellings funded by local, state, or federal funds have been built since March 13, 1991?** Four – Jefferson View, Mountain Village, and Historic Ashe Hospital were built with NC Tax Credits and the Oak Grove Apartments were built with assistance from USDA. All the low-income complexes in accept HUD-subsided renters.
4. **Are they in compliance with FFHA requirements? ADA requirements? Section 504?** Yes.
5. **Is the local Homebuilders Association a VAMA signatory?** No.
6. **Is there an identified community need for persons with disabilities?** No.
7. **Is there an identified community need for the construction of more affordable housing?** Yes.

### **Step 10 Environmental Discrimination**

1. **Identify the location of hazardous materials within the community. Are they located disproportionately in areas of minority or low-income concentration?** A map, obtained from the EPA website, of all known facilities that house hazardous materials is attached. There are several locations indicating hazardous waste, this is not unusual in an area with manufacturing operations. Of all the sites listed on the attached EPA map none are disproportionately located in areas of minority or low-income concentrations.
2. **Identify any superfund sites within your jurisdiction. Are they located disproportionately in areas of minority or low-income concentration?** There is one Superfund site in Ashe County, Ore Knob Mine. The site is located at the intersection of Ore Knob Road and Little Peak Creek Rd. and is the site of an old copper mine that operated from 1855-1962. This site is not located in an area of either low-income or minority concentration (See attached Low-Income Concentration Map)
3. **Identify any site selection policies or procedures that may contribute to the concentration of environmental hazards in minority or low-income areas.** No such policies are known.
4. **Identify any local, state, or federal efforts to remove environmental hazards.** The Towns of Jefferson, Lansing, and West Jefferson operate water and wastewater services. To eliminate hazards of contaminated wells, failing septic tanks, and areas of undersized lines, the Towns

occasionally apply for grant funds from the state and federal governments to extend and upgrade water and sewer services in areas with the greatest need.

5. **What barriers exist to the removal of environmental hazards from the community?** The lack of money to address public water and sewer needs of all residents.

### **BARRIERS TO EQUAL HOUSING OPPORTUNITIES**

1. **Affordability.** Due to a growth of second-home sites, low-income individuals see a barrier to their choices of rental or owner-occupiable housing that in some areas of the county tend to be unreasonably priced for their income levels.
  - *Fair Housing activities cannot affect the affordability of housing in the county.*
2. **Fair Housing Awareness.** Given that no complaints have been filed with the NC Human Relations Commission from this area, there is a need to educate minority and low-income persons about how to file complaints when discrimination happens. Realtors, builders, lenders, landlords and property owners also need to be better educated about fair housing issues.
  - *Activities planned to increase fair housing awareness include distributing fair housing brochures to banks, relators, churches, and county buildings; publishing the fair housing complaint procedure in the local paper and posting it in county buildings; and working with NC Cooperative extension with providing them HUD and Fair Housing information for their clients.*
3. **Education.** Persons wishing to buy a home often have difficulty with the process of home buying. This includes how to buy a home, choosing a Realtor, applying for a mortgage, home maintenance, etc. Also, low-income families need to be made more aware of federal programs that may assist them in buying a home.
  - *The County plans to refer families to the HUD website for additional information. They plant to distribute the web address for HUD along with Fair Housing materials upon request. The County will also furnish the HUD 1-800 number to those with no or inadequate internet connections.*

### **Signatures**

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Ashe County Chairman

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Date

Attest:

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Ashe County Clerk

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Date

# Ashe County - Minority Concentration



December 14, 2020

Minority Population  
(National Percentiles)

Data not available

Less than 50 percentile

50 -60 percentile

60 -70 percentile

70 -80 percentile

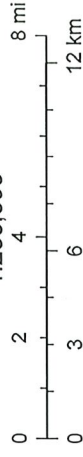
80 -90 percentile

90 -95 percentile

95 -100 percentile

Counties

1:288,895



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, EPA OGI

Table 1. County Summary Highlights: 2017 (continued)

[For meaning of abbreviations and symbols, see introductory text.]

Item	Ashe	Avery	Beaufort	Bertie	Bladen	Brunswick
Farms .....number	864	351	310	323	512	231
Land in farms .....acres	109,790	28,679	139,475	148,113	180,340	44,693
Average size of farm .....acres	127	82	450	459	352	193
Median size of farm .....acres	62	48	81	111	80	56
Estimated market value of land and buildings:						
Average per farm .....dollars	668,101	530,636	1,538,781	1,390,119	1,174,444	758,353
Average per acre .....dollars	5,258	6,494	3,420	3,032	3,334	3,920
Estimated market value of all machinery and equipment .....\$1,000	62,153	22,190	82,414	77,012	115,250	26,428
Average per farm .....dollars	71,937	63,220	265,851	238,427	225,098	114,405
Farms by size:						
1 to 9 acres .....farms	62	63	22	28	51	39
10 to 49 acres .....acres	301	114	98	59	133	58
50 to 179 acres .....farms	344	139	77	100	178	95
180 to 499 acres .....acres	116	25	39	58	86	21
500 to 999 acres .....farms	25	4	26	43	26	6
1,000 acres or more .....acres	16	6	48	35	38	12
Total cropland .....farms	722	318	238	244	386	182
Harvested cropland .....acres	36,360	11,946	118,626	112,281	76,833	22,774
Irrigated land .....farms	84	35	21	15	74	17
.....acres	27,996	8,416	2,045	3,178	5,972	472
Market value of agricultural products sold (see text) .....\$1,000	57,141	20,085	112,038	260,470	446,399	46,069
Average per farm .....dollars	66,136	57,222	361,413	806,410	871,873	199,435
Crops, including nursery and greenhouse crops .....\$1,000	43,957	19,306	73,263	80,485	70,578	15,776
Livestock, poultry, and their products .....\$1,000	13,184	779	38,775	179,986	375,821	30,294
Farms by value of sales:						
Less than \$2,500 .....farms	316	103	112	74	200	105
\$2,500 to \$4,999 .....acres	79	45	16	17	25	18
\$5,000 to \$9,999 .....farms	135	48	19	15	30	20
\$10,000 to \$24,999 .....acres	144	56	30	33	42	29
\$25,000 to \$49,999 .....farms	48	27	18	22	26	22
\$50,000 to \$99,999 .....acres	48	20	20	12	40	3
\$100,000 or more .....farms	94	52	95	150	149	34
Government payments (see text) .....farms	16	11	181	204	179	35
.....\$1,000	76	37	4,556	4,249	3,178	338
Total income from farm-related sources .....farms	255	86	141	159	253	80
.....\$1,000	2,771	1,023	2,942	3,271	8,738	1,833
Total farm production expenses .....\$1,000	51,620	20,295	78,579	171,015	282,968	44,176
Average per farm .....dollars	59,746	57,822	253,481	529,458	552,672	191,238
Net cash farm income of the operations .....farms	864	351	310	323	512	231
.....\$1,000	8,367	849	40,958	96,975	175,347	4,065
Average per farm .....dollars	9,684	2,420	132,121	300,233	342,474	17,596
Livestock and poultry:						
Cattle and calves inventory .....farms	380	73	33	23	113	71
Beef cows .....number	17,354	1,662	347	725	4,034	1,370
Milk cows .....farms	313	61	33	17	109	67
.....number	7,442	955	263	344	(D)	(D)
Cattle and calves sold .....farms	11	5	-	-	1	1
Hogs and pigs inventory .....number	87	9	-	-	(D)	(D)
Hogs and pigs sold .....farms	309	59	17	13	84	38
.....number	14,298	786	166	287	1,785	535
Sheep and lambs inventory .....farms	3	3	11	22	69	23
.....number	(D)	10	35,910	(D)	713,011	76,368
.....farms	8	4	5	16	65	19
.....number	53	46	353,064	(D)	2,933,267	201,637
.....farms	38	1	17	-	4	1
.....number	1,089	(D)	66	-	63	(D)
.....farms	62	19	36	10	50	40
.....number	1,333	666	665	(D)	(D)	1,758
.....farms	1	-	1	77	23	-
.....number	(D)	-	(D)	38,149,383	21,605,819	-
Selected crops harvested:						
Corn for grain .....farms	9	12	101	79	116	56
.....acres	119	60	39,819	12,593	20,725	8,505
.....bushels	15,430	6,945	6,350,896	1,758,842	2,749,756	1,123,982
Corn for silage or greenchop .....farms	4	2	-	-	-	-
.....acres	47	(D)	-	-	-	-
.....tons	940	(D)	-	-	-	-
Wheat for grain, all .....farms	2	-	35	64	18	10
.....acres	(D)	-	11,911	9,942	2,753	190
.....bushels	(D)	-	831,254	613,405	164,551	6,380
Other spring wheat for grain (see text) .....farms	-	-	-	-	-	-
.....acres	-	-	-	-	-	-
.....bushels	-	-	-	-	-	-
Winter wheat for grain .....farms	2	-	35	64	18	10
.....acres	(D)	-	11,911	9,942	2,753	190
.....bushels	(D)	-	831,254	613,405	164,551	6,380
Oats for grain .....farms	-	-	7	-	3	2
.....acres	-	-	1,162	-	54	(D)
.....bushels	-	-	80,614	-	2,158	(D)
Barley for grain .....farms	-	-	1	-	-	-
.....acres	-	-	(D)	-	-	-
.....bushels	-	-	(D)	-	-	-
Sorghum for grain .....farms	-	-	3	2	5	-
.....acres	-	-	(D)	(D)	226	-
.....bushels	-	-	8,140	(D)	18,662	-

--continued

**Table 1. County Summary Highlights: 2017 (continued)**

[For meaning of abbreviations and symbols, see introductory text.]

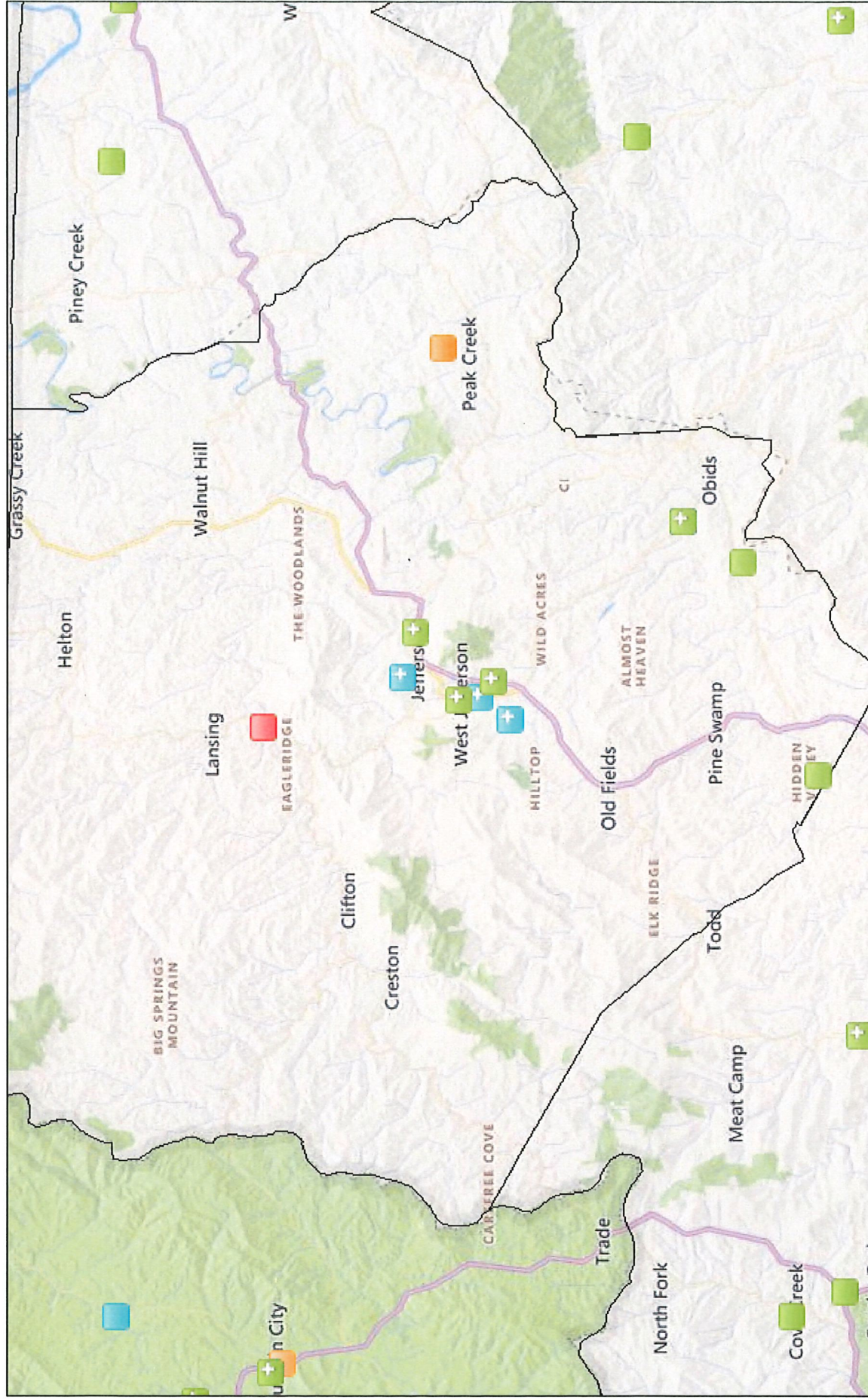
Item	North Carolina	Alamance	Alexander	Alleghany	Anson
Selected crops harvested: - Con.					
Sorghum for silage or greenchop .....	farms 49	7	-	-	-
acres	3,435	200	-	-	-
tons	43,892	2,250	-	-	-
Soybeans for beans .....	farms 6,515	37	33	-	51
acres	1,740,536	3,527	2,746	-	13,242
bushels	66,505,052	120,373	90,543	-	374,803
Dry edible beans, excluding chickpeas and limas (see text) .....	farms 5	-	-	-	-
acres	7	-	-	-	-
cwt	370	-	-	-	-
Cotton, all .....	farms 901	-	-	-	3
acres	368,821	-	-	-	892
bales	727,812	-	-	-	1,588
Upland cotton .....	farms 901	-	-	-	3
acres	368,821	-	-	-	892
bales	727,812	-	-	-	1,588
Tobacco .....	farms 1,294	20	5	10	-
acres	167,781	1,525	615	216	-
pounds	363,675,774	3,217,563	997,786	399,600	-
Forage - land used for all hay and haylage, grass silage, and greenchop (see text) .....	farms 18,911	337	321	270	134
acres	672,976	14,594	11,523	10,469	5,951
tons, dry equivalent	1,495,368	32,501	22,499	20,495	13,172
Sunflower seed, all .....	farms 23	-	-	-	-
acres	239	-	-	-	-
pounds	264,200	-	-	-	-
Peanuts for nuts .....	farms 614	-	-	-	-
acres	119,419	-	-	-	-
pounds	477,867,597	-	-	-	-
Vegetables harvested for sale (see text) .....	farms 3,456	55	17	26	5
acres	155,407	178	161	891	(D)
Potatoes .....	farms 882	4	7	7	-
acres	13,867	3	1	4	-
Sweet potatoes .....	farms 838	11	-	-	1
acres	92,495	15	-	-	(D)
Land in orchards (see text) .....	farms 1,789	42	11	8	5
acres	12,104	60	186	5	(D)

Item	Ashe	Avery	Beaufort	Bertie	Bladen	Brunswick
Selected crops harvested: - Con.						
Sorghum for silage or greenchop .....	farms -	-	-	-	-	-
acres	-	-	-	-	-	-
tons	-	-	-	-	-	-
Soybeans for beans .....	farms 1	-	135	168	96	52
acres	(D)	-	59,268	34,957	18,396	9,225
bushels	(D)	-	2,704,881	1,502,440	633,694	306,152
Dry edible beans, excluding chickpeas and limas (see text) .....	farms -	-	-	-	-	-
acres	-	-	-	-	-	-
cwt	-	-	-	-	-	-
Cotton, all .....	farms -	-	19	47	7	1
acres	-	-	9,236	21,298	900	(D)
bales	-	-	20,494	42,236	1,468	(D)
Upland cotton .....	farms -	-	19	47	7	1
acres	-	-	9,236	21,298	900	(D)
bales	-	-	20,494	42,236	1,468	(D)
Tobacco .....	farms 3	1	17	18	2	2
acres	14	(D)	1,546	3,945	(D)	(D)
pounds	25,846	(D)	3,118,892	7,843,676	(D)	(D)
Forage - land used for all hay and haylage, grass silage, and greenchop (see text) .....	farms 428	75	15	17	100	55
acres	12,124	2,017	234	1,448	4,130	1,701
tons, dry equivalent	28,081	4,489	735	2,861	12,073	3,134
Sunflower seed, all .....	farms -	-	-	1	2	-
acres	-	-	-	(D)	(D)	-
pounds	-	-	-	(D)	(D)	-
Peanuts for nuts .....	farms -	-	4	54	42	-
acres	-	-	380	9,084	4,634	-
pounds	-	-	1,448,000	39,591,195	19,299,588	-
Vegetables harvested for sale (see text) .....	farms 58	28	20	10	41	16
acres	400	70	377	1,517	704	401
Potatoes .....	farms 19	20	10	3	11	3
acres	11	24	12	(D)	12	1
Sweet potatoes .....	farms 2	-	8	5	9	2
acres	(D)	-	(D)	(D)	266	(D)
Land in orchards (see text) .....	farms 30	14	12	3	36	13
acres	37	69	91	(D)	474	65

--continued



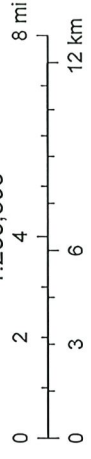
# Hazardous Materials - Ashe County



December 15, 2020

- Toxic Substances Control Act (TSCA)
- Hazardous Waste (RCRAInfo)
- Hazardous Waste (RCRAInfo)
- + Toxic Releases (TRI)
- Toxic Releases (TRI)
- + Superfund (NPL)
- Counties
- Brownfields (ACRES)

1:288,895



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## Low-Income Concentration - Ashe County NC

