



**TOWN OF AYDEN
GOVERNING BOARD MEETING
MINUTES**

September 11, 2017– 7:00 pm
Ayden Town Hall – Second Floor Boardroom

I. CALL TO ORDER

A. Call to Order

Mayor Tripp called the meeting to order at 7:00 p.m.

B. Roll Call

Present:

Mayor Tripp

Commissioners Davenport, Harris, Mewborn, Ross and Skinner

Absent:

None

Also Present:

Steven Harrell - Town Manager

Sarah Radcliff– Town Clerk

Scott Dixon- Associate Attorney

C. Welcome Visitors

Mayor Tripp welcomed everyone to the meeting.

D. Invocation

Commissioner Davenport gave the invocation.

E. Pledge of Allegiance

Mayor Tripp led the Pledge of Allegiance.

F. Approval of the Agenda

Mayor Tripp said they would like to move Item "A." under Public Hearings directly after the Random Acts of Kindness presentation. He said there was also a resolution that needed to be approved and that would go under Action Items as item "C." He stated the discussion of Non-residential Maintenance Codes would be moved to the October Meeting. Motion to approve the agenda as amended.

Motion: Mayor Pro-tem Skinner

Second: Commissioner Harris

Discussion: None

Approved: 5-0

Motion passed unanimously.

II. PRESENTATIONS

A. Random Acts of Kindness

Item Explanation

Bruce Jones has been nominated by Paula Loftin for the Random Acts of Kindness Award for his long-standing history of helping the Ayden Community by providing food to families during their time of loss.

Don Brown has been nominated by Darlene Pollard for the Random Acts of Kindness Award for being someone "Our Community can count on when it comes to supporting any function that we may have and if he's not too busy he will show up."

Staff Comments

Nominees will be in attendance to accept the awards.

Action Requested

Presentation of awards by Mayor Tripp.

Mayor Tripp presented the awards.

III. PUBLIC HEARING

A. Small Cities Community Development Block Grant

Kevin Richards with the Mid-East Commission presented to the board.

Item Explanation

This is the second required public hearing for the Community Development Block Grant-Downtown Redevelopment Program. The purpose of the public hearing is to explain the CDBG- Downtown Redevelopment grant, which will provide funding for up-fit and renovation of the historic building located at 4260 Lee Street. The \$500,000.00 grant represents 80% of the project costs. The business has committed to spending \$125,000.00 on the project for a total project cost of \$625,000.00.

The two-story building is approximately 9,000 square feet and was constructed in 1915. It has been vacant and in disrepair for many years. A Quilt Lizzy, LLC, a for profit destination Quilt and Sewing Shop, will renovate the 4,500 square foot first floor of the building to house the retail side of the business. The 4,500 square foot second floor space will house an event and training space. The funds will assist with up-fit of the building.

Staff Comments

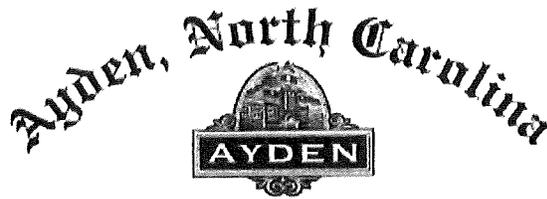
After the public hearing, the Town Board will need to pass:

1. The Resolution to Apply
2. The Program Manual containing the federally required plans.

Kevin Richards, Planning Director for the Mid-East Commission, will be present to address this project.

Action Requested

By motion, adopt separately the two enclosed resolutions.



RESOLUTION 17-18-16
TOWN OF AYDEN- CDBG-DR- A QUILT LIZZY
PROGRAM MANUAL.

A Resolution Authorizing the Adoption of the Program Manual for the Town of Ayden Community Development Program.

Be it resolved by the Board of Commissioners of the Town of Ayden, North Carolina that:

WHEREAS, the Town 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 following documents are required under this program:

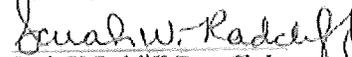
- **Fair Housing.** Grant recipients are required to comply with fair housing and nondiscrimination laws. The plan must include a list of fair housing promotional activities to be undertaken each quarter over the two-year period of the grant as well as a complaint procedure.
- **Anti-displacement and Relocation Assistance Plan.** A plan for residential anti-displacement and relocation must be documented.
- **Section 504 of the Rehabilitation Act of 1973.** The local government applicant must complete a Self-Evaluation plan. Units of government as well as private firms are required to comply with certain provisions of the Americans with Disabilities Act (ADA).
- **Section 3 Requirements.** Section 3 of the Housing and Urban Development Act of 1968, as amended, contains requirements governing programs providing direct financial assistance to public recipients and related contractors (or subcontractors).
- **Equal Opportunity.** Applicants are required to insure that CDBG aided projects comply with equal opportunity and nondiscrimination laws and that people in protected categories are not excluded from project participation.
- **Procurement.** The grantee must have a written Procurement Policy that meets the requirements specified in 2 CFR Part 200. The procurement procedures must reflect applicable State and local laws, promote free and open competition, and describe efforts to encourage minority and female owned businesses to submit bids/proposals. Loan funds awarded to a private company are not subject to procurement regulations.
- **Citizen Participation.** Applicants must certify in their application that they are following a written citizen participation plan that provides for citizen access to information and participation in all stages of the project.
- **Language Access Plan.** Title VI of the Civil Rights Act of 1964 requires local governments receiving federal assistance make special accommodations for persons with limited English proficiency.

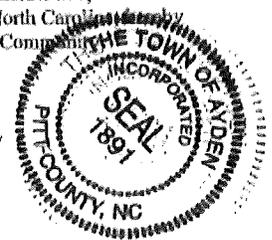
THAT, Mayor Stephen W. Tripp is hereby authorized to execute any and all Grant related documents and, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Town of Ayden, North Carolina hereby adopts the Program Manual to be used throughout the implementation of the Town of Ayden's Community Development program.

Adopted this 11th day of September 2017.


Stephen W. Tripp, Mayor

ATTEST:


Sarah W. Radcliff, Town Clerk



Recipient's Plan to Further Fair Housing

Town of Ayden
Recipient

4144 West Avenue, Ayden, NC 28513
Recipient's Address

Steven Harrell- Town Manager
Contact Person

(252) 481-5826
Telephone Number

- 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

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

1. Citizens of Ayden may not be aware of current federal and state fair housing law or what constitutes an unfair housing practice.
2. Lack of coordination among housing-related groups and organizations in the public and private sector. Local housing-related businesses may not be aware of their responsibilities to comply with provisions of fair housing law; or may not be aware of opportunities to participate in agreements to affirmatively further fair housing.
3. Low income families may not be aware of housing assistance available to them in Ayden.
4. Citizens and housing-related businesses may be unaware of Title VIII requirements included in the Fair Housing Amendments Act of 1988.
5. Housing ownership opportunities are limited for low- and moderate-income persons. Where housing opportunities exist, extensive credit counseling and homeownership classes are required to prepare them for ownership eligibility.
6. Insufficient inventories of standard, affordable housing units to provide LMI persons, protected under Title VIII, reasonable numbers of housing options in locations outside traditional areas of LMI and/or minority concentrations.

III. Briefly describe the activities that the recipient will undertake over the active period of the grant to affirmatively further fair housing in their community. A time schedule for implementation of these activities must be included. Activities must be scheduled for implementation at least on a quarterly basis. (Use additional pages as necessary.)

Update the Town's Recipient's Plan to Further Fair Housing	September	2017	\$0	\$0.00
Publish FH Complaint Procedure in local newspaper	December	2017	\$160	\$0.00
Stock FH materials in lobby of Town Administration Building	March	2018	\$0	\$0.00
Contact Local Realtors Association; provide FH materials	June	2018	\$0	\$0.00
Post FH Policy & Complaint Procedure at Town Hall	September	2018	\$0	\$0.00
Contact local library branches; provide FH materials	December	2018	\$0	\$0.00
Restock FH materials at Town Administration Building	March	2019	\$0	\$0.00
Publish FH Complaint Procedure in local newspaper	June	2019	\$160.00	\$0.00

IV. Will the above activities apply to the total municipality?

Yes No (If no, provide explanation.)

- V. Describe recipient's method of receiving and resolving housing discrimination complaints. This may be either a procedure currently being implemented or one to be implemented under this CDBG grant. Include a description of how the recipient informs the public about the complaint procedures. (Use additional pages as necessary.)
1. Any person or persons wishing to file a complaint of housing discrimination in the Town of Ayden may do so by informing the Ayden Town Manager at (252) 481-5826, or the N.C. Human Relations Commission at (919) 807-4420, Fax (919) 807-4435, Toll-Free 1-866-324-7474 of the facts and circumstances of the alleged discriminatory act or practice.
 2. Upon receiving a housing discrimination complaint, the Town Manager shall inform the North Carolina Human Relations Commission about the complaint within ten (10) calendar days. The Town shall then assist the Commission and the complainant in filing an official written housing discrimination complaint with the Commission, pursuant to the State Fair Housing Act and Title VIII.
 3. The Town shall offer assistance to the Commission in the investigation and conciliation of all housing discrimination complaints which are based upon events occurring in the Town.
 4. The Ayden Town Manager shall publicize within the Town that he is the local official to contact with housing discrimination complaints.

APPROVED BY: Stephen W. Tripp
Mayor


Signature of Mayor

Mayor
Title

September 11, 2017
Date

**TOWN OF AYDEN
RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN
UNDER SECTION 104(d) OF THE HOUSING & COMMUNITY
DEVELOPMENT ACT OF 1974, AS AMENDED**

WHEREAS, the Town of Ayden anticipates award of 2016 Community Development Block Grant-Economic Development funds:

WHEREAS, the Town is required to adopt a Residential Anti-Displacement and Relocation Assistance Plan;

WHEREAS, the purpose of this plan is to minimize residential displacement and to provide relocation assistance to displaced residents in a timely manner;

NOW, THEREFORE, BE IT RESOLVED that the following constitutes the Residential Anti-Displacement and Relocation Assistance Plan for the Town of Ayden:

The Town of Ayden will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than low/moderate income housing as a direct result of activities assisted with funds provided under the Housing & Community Development Act of 1974, as amended, as described in 24 CFR 570.606 (b) (1).

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the Town 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 unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy.

The Town of Ayden will provide relocation assistance, as described in 570.606 (b) (2), to each low/moderate income household displaced by demolition of housing or by the conversion of a low/moderate income dwelling to another use as a direct result of assisted activities.

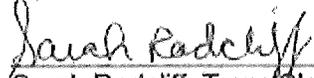
Adopted this 11th day of September, 2017.



Stephen W. Tripp, Mayor



ATTEST:



Sarah Radcliff, Town Clerk

TOWN OF AYDEN
SECTION 504 SELF - EVALUATION - 24 CFR PART 8

INTRODUCTION

The following is a checklist of general requirements that recipients should consider in their self-evaluation efforts under Section 504 of the Rehabilitation Act of 1973, as amended. It should be used in conjunction with the United States Department of Housing and Urban Development (HUD)'s regulations at 24 CFR Part 8. This checklist is designed to serve as a working guidance tool to help recipients focus on key issues that could affect the accessibility of their programs and practices. In developing answers to the questions, a recipient will be preparing most of the information that Section 504 requires. Use of the checklist should also assist a recipient in pinpointing areas where action is likely to be required to achieve compliance with Section 504. It should be emphasized, however, that this checklist is for reference purposes, and is not intended as a substitute for individual judgment or analysis of the pertinent regulations issued pursuant to Section 504. Any information in this checklist cannot be used as a sole basis for determining compliance with Section 504. The government wide regulations do not prescribe a specific form. This self-evaluation was compiled from material by the Thompson Publishing Group *Section 504 Compliance Handbook*, the Department of Justice Civil Rights Division Technical Assistance Guide (TAG), report on *Section 504 Self-Evaluation* of U.S Department of Housing and Urban Development conducted programs and activities, and other HUD Region IV state checklists.

24 CFR - 8.51 Self-evaluation

(a) Each recipient shall, within one year of July 11, 1988, and after consultation with interested persons, including individuals with handicaps or organizations representing individuals with handicaps:
(1) Evaluate its current policies and practices to determine whether, in whole or in part, they do not or may not meet the requirements of this part; (2) Modify any policies and practices that do not meet the requirements of this part; and (3) Take appropriate corrective steps to remedy the discrimination revealed by the self-evaluation.
(b) A recipient that employs fifteen or more persons shall, for at least three years following completion of the evaluation required under paragraph (a)(1) of this section, maintain on file, make available for public inspection, and provide to the responsible civil rights official, upon request: (1) A list of the interested persons consulted; (2) a description of areas examined and any problems identified; and (3) a description of any modifications made and of any remedial steps taken.

INSTRUCTIONS

Completing the Evaluation:

The questions in the evaluation are a *guide* to ensure Section 504 compliance. Answer each question with Yes, No, N/A, a description, list, or explanation. If a question does not apply to the local government, then write "N/A" next to the question and explain. Some questions require identification of modification to policies and practices will be undertaken or what corrective action will be taken to remedy any discrimination found. In some cases, questions will require that additional information be supplied to complete the evaluation process. Please be sure to attach the local government grievance procedure and current nondiscrimination policy (e.g. *excerpts* from Human Resources personnel policies). The survey itself does not need to be adopted, but the grievance procedure and nondiscrimination policy do.

Submitting Documents to the State:

It is recommended to not have the survey as grant number or program specific so it can be used for multiple grants for the local government. If a survey is indicated as grant number or program specific, it is only applicable for that specific grant. Should a local government have multiple grants, one (1) hardcopy of the survey needs to be submitted to Division of Water Infrastructure (DWI) for each grant file. It is recommended to reevaluate the survey every few years (such as 3 three years).

Technical Assistance: There is no prior approval of the completed survey by Compliance Specialist. Should the local government need technical assistance it is recommended to email Lmarcela.vargas@ncdenr.gov with questions or contact the Grant Representative.

**SECTION 504 SELF - EVALUATION
24 CFR PART 8**

RECIPIENT INFORMATION

*Town of Ayden
PO Box 219
Ayden, NC 28513*

Local government staff position responsible for Self-Evaluation and coordination of Section 504 compliance: *Town Manager (252) 481-5826*

Evaluation completion date: September 6, 2017

Approval:


Stephen W. Tripp, Mayor

The Town Board has authorized the Mayor to approve this 504 Self-Evaluation Plan

Program Policy

This section evaluates the program local government policies and their effect on individuals with disabilities. Please respond to the following questions by checking the appropriate box, and providing additional information where requested. In some instances, more than one box will be checked.

1. Describe briefly the local government programs and services, including their purpose, scope, activities, and participants:

Ayden is a small town in eastern North Carolina with a population of approximately 5000 people. The size of the Town somewhat limits the availability of staff for local government programs and services, but the Town is committed to insuring individuals with disabilities have full access to local government programs and services.

2. How does the agency incorporate provisions to ensure equal opportunity for individuals with disabilities into its policy and program initiatives?

Provisions to insure policies and programs incorporate equal opportunity of individuals with disabilities are included in all activities of the local government. It is the policy of the local government to insure individuals with disabilities have full access to all local government activities and operations.

3. Does the agency provide opportunities for qualified people with disabilities to participate when amending or developing policies?

All individuals, whether Staff, Panelists, Consultants or other individuals are provided equal opportunities to participate in the amendment or development of policies without regard to disabilities.

4. How does the agency provide accommodations for visitors, staff, or other meeting participants with disabilities?

The local government supports the participation by disabled individuals by providing physical access and direct assistance upon request (with adequate notice to accommodate the request) for individuals with hearing or visual disabilities. These provisions may include sign language, oral interpreters, or similar activities. Funds for these activities are included in the local government budget as routine general fund expenditures.

5. Is the agency able to modify its programs/activities, if necessary, to provide reasonable accommodations to individuals (staff or the public) with disabilities?

- YES: *The local government has demonstrated the desire, physical ability and financial ability to provide reasonable accommodations for individuals with disabilities.*
- NO *not applicable*

6. Is agency staff aware it may have to modify programs/activities in order to accommodate individuals with disabilities?

- YES: *Conversations with the chief local administrative officer indicate the local government is aware it may have to make modifications to accommodate individuals with disabilities.*
- NO *not applicable*

7. Does the agency notify individuals with disabilities they may request reasonable accommodations, including modification of office policies? If so, please identify how such notification is provided, and to whom (public or staff)?

- YES: *It is the policy of the local government to provide reasonable accommodations for individuals with disabilities. Employees are made aware of these policies through the personnel policy and the public is informed through postings on the public notice bulletin board and other conspicuous places.*
- NO *not applicable*

8. Are there any instances where the agency has been unable to modify a policy because such modification would either fundamentally alter the nature of the program, or result in an undue financial or administrative burden?

- YES: *not applicable*
- NO: *no such instances are known to the current staff*

9. Is access for people with disabilities a consideration when the agency undertakes special policy related efforts?

- YES: *It is the policy of the local government to make access for individuals with disabilities a consideration in all local government efforts to include special policy efforts.*
- NO *not applicable*

10. Do you have staff members who serve on an emergency evacuation committee to assist visitors and staff with disabilities?

- YES (Specify efforts): *Due to staffing limitations, the local government does not have a special emergency evacuation committee designated as such. However, each facility has an evacuation plan and it is the policy of the entire local government staff to assist individuals with disabilities in the case of an emergency which necessitates evacuation.*
- NO *not applicable*

11. Do staff members receive training in emergency evacuation?

- YES: *Emergency Management staff members are trained in emergency evacuation. Other staff members assist as needed to assist with emergency evacuation for individuals with disabilities when specialized personnel are not available.*
- NO *not applicable*

12. Please complete the chart below, using the following instructions:

- a. Identify all of the policies and practices from the completed program policy section that do not or may not meet the requirements of Section 504, and may create barriers for individuals for individuals with disabilities:
- b. List all proposed actions or actions that have been or will be taken by the Agency to modify the policies/practices to ensure compliance with Section 504
- c. Has the proposed action/action been identified as a financial and administrative burden? If so, how the conclusions were reached and list any alternative actions that may be taken that do not constitute a financial and administrative burden.
- d. List target dates for which action may be taken by the Agency to modify the policies/practices

Barrier Identified	Proposed Actions/Modification to Remove Barrier	Could the action result in an undue financial/admin. burden or alter the nature of the Program/Activity (if yes, please identify how the conclusion was reached and list any alternative actions)	Target date of action
<i>none</i>	<i>none</i>	<i>Not applicable</i>	<i>Not applicable</i>

Program Access

1. Describe the analysis of all programs, activities, aid, benefits and services to determine the degree they are accessible to qualified handicapped persons:

The chief administrative officer and department heads where available have indicated all local government programs, activities, aids, benefits and services are sufficiently accessible to individuals with disabilities.

2. Describe methods that have been used to involve handicapped persons (or organizations representing handicapped persons) in the development of activities designed to achieve program accessibility:

The local government has developed activities to achieve program accessibility through guidance routinely available to local government officials. The policies have been in place for some time and this evaluation was unable to determine individuals or organizations initially involved with activity development.

3. Are there boards, councils or similar bodies on which program participants sit?

- YES- List steps to ensure equal opportunities for selection to, and participation in, such boards by persons with disabilities:

The local government selects individuals for boards, councils or similar bodies in the local government without regard to disabilities

- NO - Please explain

Individuals with disabilities have not applied to serve on these bodies in the local government.

4. Does the local government notify participants, applicants, beneficiaries, employees, unions of professional organizations, and the general public (posted notices, newspaper ads, office memoranda, etc.) that the Ayden does not discriminate on the basis of disability in its federally assisted programs and activities?

- YES- Briefly describe the methods used to notify the public about non-discrimination policies:

The local government includes such information on postings and in most advertisements concerning job opportunities, contract opportunities, service opportunities, public hearing notices and other similar opportunities.

- NO- Modification or corrective action:

Public Outreach

A. COMMUNICATION AND NOTIFICATION

1. Does the recipient engage in any meetings or oral presentations, printed materials, advertisements, or other methods to recruit program participants, or otherwise inform persons of the program's existence?

- YES- Describe briefly the activities involved and/or the materials used.
The local government has a Citizen Participation Plan for all programs and typically has public outreach to the public to include individuals with disabilities to provide information on available and anticipated programs.
- NO

2. Has the local government taken appropriate steps to ensure effective communication with applicants, program participants, and members of the public by providing auxiliary aids where necessary so that individuals with speech, vision, or hearing impairments can have the opportunity to participate in, and enjoy the benefits of local government programs and activities?

- YES- Proceed to Question 3
- NO- Modification or corrective action:

3. Describe approaches and special procedures adopted to ensure effective communications with project beneficiaries and/or members of the general public with disabilities, especially those with vision, speech, and hearing impairments (Methods include, but are not limited to: provision or auxiliary aids or presentation of materials in alternative formats qualified sign language and oral interpreters, readers, or the use of taped, large print, closed-captioned video, and Braille materials.)

The local government has not recently had requests for assistance beyond physical access. However, the local government has committed both in action and financial support to provide assistance to the hearing impaired through sign language and other visual aids available, to the visually impaired through oral interpreters and to individuals with other disabilities in a similar manner.

4. Describe how the local government advertises to the public availability of auxiliary aids and services for effective communication to participate in the local government programs and services.

The local government includes information on availability of such items in public advertisements and postings.

5. Describe how the local government will ensure that meetings, hearings, and conferences will be accessible for individuals with communication disabilities.

The local government has committed to ensure meetings, conferences and hearings are physically accessible and accessible to individuals with other disabilities upon request with adequate notice to provide needed accommodations.

6. Describe how an individual with a disability may request assistance and express their preference for auxiliary aids and services from the local government.

Individuals may request accommodations through the chief administrative officers' office or other public contact outlet of the local government.

7. Describe how the local government will provide auxiliary aids or services on request.

Due to limited resources, the local government needs some reasonable notice to provide auxiliary aids or services.

8. List steps to ensure inclusion or a notice of the recipient's compliance with Section 504 in all materials and advertisements.

The local government quality control process and oversight process will insure inclusion or notice of compliance with Section 504.

9. Has the local government installed a reader, developed Braille materials, audio recordings or other similar services and devices for persons with impaired vision?

- YES: *The local government has staff available to serve as readers for the visually impaired*
- NO- Modification or corrective action: *not applicable*

10. Does the recipient provide services or information to the general public over the telephone?

- YES- *the local government utilizes Relay NC (7-1-1)*
- NO- List steps to ensure effective communications with individuals with hearing or speech impairments. This can include providing a TTY or relying on a third-party relay service. The Justice Department encourages public entities that have extensive phone contact with the public to have TTYs to assure more immediate access.

11. What is the TTY/TDD number listed in directories and disseminated information?

Relay NC (7-1-1)

12. Is signage concerning the location of TTY-equipped pay phones or portable TTYs available?

- YES
- NO- Modification or corrective action:

13. Are all 911 emergency response centers equipped with TTYs or other equally effective technology to make the service accessible to individuals with hearing or speech impairments? Separate, seven-digit phone numbers and/or reliance on a third-party relay service is not an acceptable alternative for making 911 services accessible.

- YES
- NO- Modification or corrective action:

14. Is signage at inaccessible entrances directing people with disabilities to an accessible entrance or a location with information about an accessible entrance?

- YES
- NO- Modification or corrective action:

15. What steps, if any, have been taken to ensure that all of the programs' web site(s) are accessible?

The website is accessible to all individuals. Any individual with disabilities will need to secure individual assistance to examine the local government website

16. List all local government activities where a sign language and/or oral interpreter, readers, and assistive listening devices might be needed to ensure that persons with hearing and visual impairments can fully participate in the program or activity (e.g. securing services in expeditious manner, department responsible for ensuring such services, policy source and date, date policy distributed to staff).

The local governing body meetings are most pressing for accessibility, however, all other activities of the local government are accessible with reasonable notice for accommodation.

B. INFORMATION DISSEMINATION

1. Can copies of written materials be reasonably obtained by individuals with disabilities?

YES NO

2. Have disability groups been included in the dissemination process?

YES NO available to all groups to include individuals with disabilities

3. Does the local government use all available print and broadcast media to ensure that all individuals with disabilities receive appropriate notification?

YES NO print media

4. Does the local government disseminate information to all agencies or organizations that deal with persons with disabilities in the local government service jurisdiction?

YES NO

5. Does all of the information disseminated by the local government include current non-discrimination policies?

YES NO

NO to any questions above - Modification or corrective action:

C. PRINTED MATERIALS

1. Are written materials including posters with non-discrimination notices placed in physically accessible locations?

YES NO

2. Can small print of posted announcements be read from a wheelchair?

YES NO

Are all words in printed materials clearly legible?

YES NO

3. Would color blind individuals be able to distinguish all contents in printed materials?

YES NO

4. Are representations of disabled individuals free of patronizing stereotypes?

YES NO

5. Do graphics in printed material permit easy reading of the contents?

YES NO

6. Is all necessary program information included in printed material?

YES NO

7. Are procedures for providing program access to disabled individuals stated clearly?

YES NO

8. Do all appropriate local government documents include policy statements about non-discrimination on the basis of disabilities?

YES NO

9. Are the Section 504 contact person's name, address, and phone number listed in printed material?

YES NO

NO to any questions above - Modification or corrective action:

Program Eligibility / Admission Criteria

1. Are there any limitations on the number of qualified persons with disabilities who may participate in or be admitted to the program?

YES - List steps to be taken to eliminate the limitations
 NO

2. Has the local government examined all policies pertaining to program eligibility and admission criteria to determine if they had the purpose or effect of excluding or limiting the participation of individuals with disabilities in local government's programs and activities?

YES
 NO- Modification or corrective action:

3. Has the local government, in examining its policies on program eligibility and admission criteria, paid particular attention to those incorporating or establishing: (1) physical or mental fitness or performance requirements; (2) safety standards; (3) testing requirements; (4) educational requirements; (5) work experience requirements; (6) income level requirements; (7) credit rating requirements; (8) requirements based on disability; (9) requirements that prohibit participation because of disability; and (10) insurability requirements?

YES
 NO- Modification or corrective action:

4. Has the local government altered or eliminated policies that have the direct or indirect effect of excluding or limiting the participation of individuals with disabilities in local government's programs and activities?

YES- List any policies that have been altered or eliminated.
 NO- Modification or corrective action:
 N/A- Explain (e.g. no such policies found in review), then proceed to Question 6.

5. Has the local government communicated the policy changes to staff members and the public?

YES
 NO- Modification or corrective action:

6. Are any criteria or tests used in the admission process?

YES - Proceed to Question 7
 NO- Proceed to Question 8

7. List all criteria (e.g., good health, residency requirements, letters of recommendation) and tests (including the skill, level of achievement, or other factors being tested, whether they are written or oral tests and the method of administration) used in the admissions process, that have or could have a disproportionately adverse impact on program applicants with disabilities. Discuss briefly the potential negative impact for each and indicate how they relate to the program. Discuss

alternative criteria or tests that will be used to ensure nondiscrimination. The use of a criterion or test may have to be suspended as long as this does not result in an undue hardship or fundamental alteration to the program.

The local government has no criteria, tests or similar activities which limit the accessibility of individuals with disabilities. The only criteria used are those critical to the performance of a particular activity requirement which cannot be altered with accommodations.

8. List steps to be taken to make potential program participants, including those with hearing and vision impairments and learning disabilities, aware of alternative testing/criteria and interview processes.

The local government includes information on accessibility available in solicitations and announcements.

9. List steps to provide admission forms in alternative formats.

The local government will make admission forms available in alternative formats which are targeted to the individual disability upon request in a reasonable time period.

10. List steps to ensure that applicants are not asked pre-admission inquiries as to the nature and extent of a disability, and that no forms or other written materials make mandatory inquiries related to disability.

The local government does not participate in pre-admission inquiries concerning the nature or extent of a disability.

Program Participation

1. Are post-admission inquiries made regarding disability status to make accommodations for persons with disabilities?

- YES - List steps to ensure that information is gathered voluntarily, not used to adversely affect any person with a disability and kept confidential.

The local government only makes inquiries as necessary to ascertain the performance of a critical job performance function.

- NO

2. Is there an orientation for new participants?

- YES - Describe briefly the orientation and materials used, and list steps to ensure effective communications and usable materials in alternative formats for all participants.

The local government completes an orientation of all new participants to include appropriate accommodations for individuals with disabilities.

- NO

3. Review all written materials, tools, equipment or other aids or devices used for the program. Do any need modification?

- YES - List steps such as the provision of auxiliary aids and equipment modification to ensure that program materials and equipment are accessible and usable.
- NO

4. Would any steps pose an undue financial or administrative burden?

- YES - List alternative methods of providing accessibility that would not impose an undue financial or administrative burden.
- NO

5. Are any of the following services or benefits provided to program participants? (Check all that apply. If none provided, proceed to Question 6.)

These services will be provided as needed for individuals to participate in respective programs which require these services.

- Transportation services
- Health services and insurance/benefits
- Housing
- Counseling services
- Employment services
- Food services
- Financial aid

Social, recreational or athletic activities

List steps to ensure that:

- The service/benefit is equally effective for and usable by persons with disabilities
- The administration of the service/benefit will be free from discrimination based on disability
- Communications will reach all persons, including those with hearing and sight impairments
- Effective application procedures to receive the services exist for persons with disabilities, including those with hearing and vision impairments.

Information contained previously in this evaluation detail the steps taken to ensure individuals with disabilities are provided access and opportunity as outlined above

6. List steps to ensure that information concerning program schedules and activities are effectively communicated to all program participants, including those with impaired vision, speech, and hearing.

The local government communicates as previously outlined in the evaluation concerning schedules and activities.

Employment Policy and Practice

A. GENERAL

1. Describe and discuss safeguards that have been used to ensure that all employment decisions are made without discrimination on the basis of handicap, and that such decisions do not limit, segregate or classify applicants or employees based on handicap in a way that adversely affects their opportunities or status.

The positions responsible for employment are aware of their charge to employ without discrimination. The local government has more than one level of review and oversight to safeguard against discrimination in employment.

2. Describe procedures that have been established to make certain that there are no formal relationships regarding employment (e.g. those with labor unions, employment agencies, and so forth) that have the effect of discriminating against qualified persons with disabilities.

The local government does not have formal relationships which would have the effect of discrimination against qualified persons with disabilities.

3. Does the local government have 15 or more employees (full or part-time)?

- YES
- NO

4. Do the local government's hiring and promotion practices prohibit discrimination against otherwise qualified handicapped individuals (not a separate policy)?

- YES- Proceed to Question 5.
- NO - Modification or corrective action:

5. Analyze the following aspects of employment and describe any alterations to make certain that no discrimination based on disability exists, including discrimination that occurs due to an inaccessible facility:

- Recruiting and advertising
- Processing applications
- Interviewing and orientation
- Hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff and rehiring
- Rates of pay or any other form of compensation and changes in compensation
- Job assignments, job classifications, organizational structures, position descriptions, lines of progression and seniority lists
- Leaves of absence, sick leave or any other leave
- Fringe benefits (opportunities for and financial support of training opportunities, conferences, health and insurance benefits) available by virtue of employment, regardless of whether they are administered by the recipient
- Selection and financial support for training, including apprenticeship, professional meetings, conferences and other related activities, and selection for leaves of absence to pursue training

- Employer-sponsored activities, including social and recreational programs
- Any other term, condition or privilege of employment

No evidence of discrimination was found in any of these areas.

B. EMPLOYMENT CRITERIA

1. Does the local government administer tests which accurately reflect the applicant's or employee's job skills or aptitude rather than the applicant's or employee's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test is designed to measure)?
 - YES- Please answer Question 2.
 - NO- Modification or corrective action:
 - N/A Explain (e.g. no such test/criteria used), then proceed to Next Section: *Pre-Employment Inquiries*.
2. What employment tests or criteria are used for judging potential employees and describe procedures to ensure that these criteria or tests do not discriminate against persons with disabilities, unless they are shown to be consistent with job necessity?
3. If the local government uses an employment test or other criteria for selection that screens out or tends to screen out individuals with disabilities, can the local government show that the test score or other selection criteria is job related?
 - YES- Please answer Question 4.
 - NO- Modification or corrective action:
 - N/A Explain (e.g. no such test/criteria used), then proceed to Next Section: *Pre-Employment Inquiries*.
4. Describe methods to identify the job-related characteristics of tests and criteria used in employment decisions, since job-related tests are permitted even if they screen out persons with disabilities.

C. PRE-EMPLOYMENT INQUIRIES

1. Describe steps to ensure no pre-employment inquiries are made as to whether an applicant is a person with a disability or as to the nature or severity of a disability. Is the local government aware that it cannot make a pre-employment inquiry or conduct a medical examination of an applicant to determine whether the individual is a person with disability unless the local government is undertaking affirmative action efforts or conditioning an offer of employment on the results of a medical examination given to all prospective employees in the same job category?
 - YES- Proceed to Question 2. *The local government does not make pre-employment inquiries concerning disabilities*
 - NO- Modification or corrective action:
2. Does the organization conduct or require any medical examinations after making conditional offers of employment? Has the local government informed job applicants that an employment offer may be conditioned on the results of a medical examination if all entering employees in a job category

must take an examination regardless of disability, and the examination accurately reflects the employee's job skills?

- YES - Proceed to Question 3. *The local government does not require medical examinations after conditional offers of employment.*
- NO - Modification or corrective action:

3. Has the information obtained by the local government concerning the medical condition or history of job applicants been collected and maintained on separate forms and accorded confidentially as medical records?

- YES - Describe procedures to ensure that (a) all entering employees in that position are subject to medical exams, (b) all offers of employment are conditional based on the results of the exams, (c) the medical results gathered are not used in a discriminatory manner, and (d) all information gathered is kept confidential.
All employment information to include medical exams and results are kept confidential
- NO - Modification or corrective action:

4. Review job application forms and interview questions to ensure that applicants are not asked about the existence of or nature or severity of a disability. Inquiries about the candidate's ability to perform job functions are permitted. Ensure that applicants are not asked about their relationship or association with an individual with a disability. List any job forms and questions that were amended.
All local government job application forms do not contain questions about disabilities.

5. Review existing job descriptions for each job position in the organization. Determine the essential and marginal functions of job positions in the organization and identify what job accommodations can be made, when necessary, for an applicant or employee. List any job descriptions that were amended.
Local government job descriptions correctly identify all essential functions needed for each respective job condition

6. Describe any training or other measures taken to ensure that employees and supervisors do not subject individuals with disabilities to discrimination because of insensitivity or lack of knowledge.
The local government receive human resource direction to insure employees at all levels do not subject individuals with disabilities to discrimination.

7. When the local government is undertaking affirmative action efforts, voluntary or otherwise, and inviting applicants for employment to indicate whether and to what extent they are disabled, does the local government meet the following conditions:

- a) State clearly either orally or in writing that the requested information is intended for the local government's affirmative action efforts?
 YES NO
- b) State clearly that the information is being requested on a voluntary basis, that it will be kept confidential and that refusal to give the information will not subject the applicant or employee to any adverse treatment?
 YES NO

NO to any questions above - Modifications or corrective action:

Outside Persons and Organizations

1. List below all outside persons and organizations that are involved in the provision of any aid, benefit or service for the program as discussed in **Sections above**. Include secondary recipients in the discussion.
The local government will use employees as possible but will engage service providers as needed to accommodate needs for individuals with disabilities
2. List steps to inform those listed in Question Number One of the organization's commitment to nondiscrimination on the basis of disability.
Any employee or outside resource will be informed by the engaging official of the local government's commitment of services to accommodate individuals with disabilities,
3. List those persons or organizations from Question Number One that receive significant assistance from the organization in the provision of aids, benefits or services to program participants. For example, list organizations which rent or otherwise use the facilities; that depend on the organization for informing its participants of the aid, benefit or service; that have employees of the organization spending time to assist in or coordinate the provision of the aid, benefit or service; and so forth.
The local government has accommodated a limited number of individuals and has not received requests for accommodation from groups on a routine basis.
4. List steps to ensure that persons or organizations listed in Question Number Three do not discriminate on the basis of disability in the provision of any aid benefit or service to the program participants. Such steps may include changes in the program, facility alterations, and/or changes in or discontinuation of the relationship.
Local government officials provide oversight to insure persons or organizations abide by the local government commitment to accommodate individuals with disabilities.

Use of Contractors

1. List contractors that are used by the agency to conduct programs or activities on behalf of the agency.
The local government currently uses a grant management consultant to help conduct programs as an extension of the local government staff.
2. Describe steps that have been taken to ensure that agency procurement officials understand Section 504 requirements as they apply to contractors.
The local government point of contact oversees the performance and activities of all outside agencies conducting program which may affect individuals with disabilities.
3. Provide language included in agency contracts to ensure that contractors are aware of their obligations to take steps to facilitate the participation of individuals with handicaps in programs and activities they operate on behalf of the agency.
The local government requires all outside contracts contain requirements to comply and promote Section 504 compliance.
4. Indicate the appropriate policy source to include information about Section 504 requirements as they apply to contractors.
The policy source is referenced in the appropriate clause of each respective contract.
5. Give a date that the policy was established and distributed to staff and give a citation for the policy.
The effective date of the contract policy is the effective date of each respective contract.

Grievance Procedures

Attachment 1

**TOWN OF AYDEN
POLICY OF NONDISCRIMINATION
ON THE BASIS OF
HANDICAPPED STATUS**

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

Steven Harrell, Town Manager

Town of Ayden

4144 West Avenue

PO Box 219

Ayden, NC 28513

Phone: (252) 481-5826

TDD: (800) 735-2962

Steven Harrell, Town Manager

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

Attachment 2

**Town of Ayden
4144 West Avenue
PO Box 219
Ayden, NC 28513**

SECTION 504 COMPLIANCE OFFICER/GRIEVANCE PROCEDURE FY 16 COMMUNITY DEVELOPMENT PROGRAM

The Town Board of Ayden, North Carolina, hereby designates Steven Harrell, Town Manager, to serve as Section 504 Compliance Officer throughout the implementation of the Ayden Community Development Program.

Citizens with Section 504 grievances may do so at any point in the program. The Locality will respond in writing to written citizen grievances. Citizen grievances should be mailed to: Steven Harrell, Town Manager of Ayden, 4144 West Avenue, PO Box 219, Ayden, NC 28513, phone: (252)481-5826. The Locality 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, Community Investment and Assistance, 4313 Mail Service Center, Raleigh, North Carolina 27699-4313, Phone: (919) 571-4900, TDD: (800) 735-2962. DOC will respond only to written comments within ten (10) calendar days.

**LOCAL ECONOMIC BENEFIT FOR LOW AND VERY LOW
INCOME PERSONS (SECTION 3) PLAN**

To insure that to the greatest extent possible contracts for work are awarded to business concerns located or owned in substantial part by persons residing in the Section 3 covered area, as required by Section 3 of the Housing and Urban Development Act of 1968, the Town of Ayden has developed and hereby adopts the following plan;

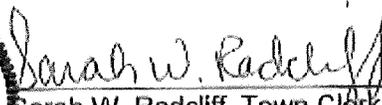
1. This Section 3 plan shall apply to services and needed in connection with the grant including but not limited to businesses in the fields of planning, consulting, design, building construction/renovation, maintenance and repair, etc.
2. This Section 3 covered project area for the purpose of this grant shall include the Town of Ayden and portions of immediately adjacent counties.
3. When in need of a service, the Town will identify suppliers, contractors or subcontractors located in the Section 3 area. Resources for this identification shall include local directories and Small Business Administration local offices. Word of mouth recommendation shall also be used as a source.
4. The Town will include this Section 3 clause in all contracts executed under this CDBG Program. Where deemed necessary, listings from any agency noted in No. 3 above shall be included as well as sources of subcontracts and suppliers.
5. The prime contractor selected for major public works facility or public construction work will be required to submit a Section 3 Plan that will outline his/her work needs in connection with the project. Should a need exist to hire any additional personnel, the Pitt County Employment Security Commission shall be notified and referred to the contractor.
6. 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.

Adopted: This 11th day of September, 2017

ATTEST:


Stephen W. Tripp, Mayor




Sarah W. Radcliff, Town Clerk

EQUAL EMPLOYMENT PLAN

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

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

Responsibility for implementing equal opportunities and Affirmative Action measures is hereby assigned to the Town Manager and/or other persons designated by the manager or Town Council to assist in the implementation of this policy statement.

The Town may 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 Town Council by the Town Manger

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

Adopted this 11th day of September, 2017.


Stephen W. Tripp, Mayor

ATTEST:

Sarah W. Radcliff, Town Clerk



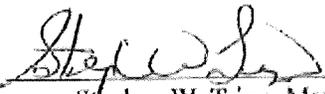
**RESOLUTION FOR THE TOWN OF AYDEN
PROCUREMENT PLAN
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

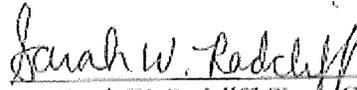
WHEREAS, the Town of Ayden is participating in the Community Development Block Grant Program under the Housing and Community Development Act of 1974 as administered through the North Carolina Department of Commerce; and,

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

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

Duly adopted this the 11th day of September, 2017.

By: 
Stephen W. Tripp, Mayor

Attest: 
Sarah W. Radcliff, Town Clerk



**TOWN OF AYDEN
PROCUREMENT POLICY FOR THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

In the procurement of supplies, equipment or services in the Town of Ayden's Community Development Block Grant Program, the following policies shall apply:

- 1) Small purchase procedures. These are relatively simple and informal procurement methods that are sound and appropriate for a procurement of services, supplies or other property, costing in the aggregate not more than \$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 conform to the requirements for procurement set forth in 24 CFR Part 85.

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

TOWN OF AYDEN CITIZEN PARTICIPATION PLAN

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

SCOPE OF CITIZEN PARTICIPATION

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

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

PROGRAM IMPLEMENTATION

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

PROGRAM ASSESSMENT

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

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

If the citizen is still dissatisfied, he/she should write to North Carolina Department of Commerce, Commerce Finance Center, 4318 Mail Service Center, Raleigh, North Carolina 27699-4318, Attention: Program Representative, requesting an investigation of the problem. Program staff will also be available during normal business hours to respond to any citizen inquiries or complaints.

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 the Town of Ayden. 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 Town in response to their request. Assistance could be provided in the form of local presentations, informational handouts, research of a specific issue or other short-term efforts.

PUBLIC INFORMATION

The Town of Ayden 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 Town Municipal Building 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 Town Municipal Building 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 as needed.

ADOPTED, this the 11th day of September, 2017.


Stephen W. Tripp, Mayor

ATTEST:


Sarah W. Radcliff, Town Clerk



Language Access Plan

*Ayden
16-E-2936*

Providing meaningful communication with persons with limited English proficiency

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.

The *Program Contact* for this program is listed below.

*Ayden Town Manager
PO Box 219, Ayden, NC 28513
(252) 481-3826
Hearing Impaired: Dial 711 (relaync.com)*

POLICY:

Ayden will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in benefits and services for which such persons qualify in order to avoid discrimination on the grounds of national origin, all programs or activities administered by Ayden.

DEFINITIONS:

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

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

Title VI Compliance Officer: The person or persons responsible for administering compliance with the Title VI LEP policies. For the purposes of this program this position shall be filled by the *Program Contact*.

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.

IDENTIFYING LEP PERSONS AND THEIR LANGUAGE

Ayden will promptly identify the language and communication needs of the LEP person. Staff will use a language identification card (or "I speak cards," <http://www.lep.gov/resources/ISpeakCards2004.pdf>) and LEP posters to determine the language. In addition, when records are kept of past interactions with individuals or family members, the language used to communicate with the LEP person will be included as part of the record.

OBTAINING A QUALIFIED INTERPRETER

Ayden will use the methods checked below to obtain a qualified interpreter:

- Maintaining an accurate and current list showing the language, phone number and hours of availability of bilingual staff
- Contacting the appropriate bilingual staff member to interpret, in the event an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret;
- Obtaining an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language. Marin Andrews and Kathy Rafferty are local resources who can provide phone interpretation for Spanish and seven other commonly used languages.
- Other: Ayden will secure online interpreter services which are readily available when needed

Ayden will provide all pertinent staff who may have direct contact with LEP individuals with a copy of this policy and procedure, and will train staff who may have direct contact with LEP individuals in effective communication techniques including the effective use of an interpreter.

Family members or friends of the LEP person will not be used as interpreters unless specifically requested by the LEP person and only after the LEP person understands an independent interpreter is available at no charge to the LEP person. If the LEP person chooses a family member or friend as an interpreter, Ayden will consider issues of competency, confidentiality, privacy and conflict of interest. If the LEP selected interpreter is not competent or appropriate for any of these reasons, Ayden will provide competent interpreter services.

Ayden will not allow children and other residents to interpret, in order to ensure confidentiality of information and accurate communication

PROVIDING WRITTEN TRANSLATIONS

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

PROVIDING NOTICE TO LEP PERSONS

Ayden will inform LEP persons of the availability of language assistance by providing written notice in languages LEP persons will understand and provide all interpreters, translators and other aids needed to copy with this policy with CBDG funds and at no cost to the LEP individuals. Ayden will notify the LEP individual and their families of the availability of assistance free of charge and will post notices and signs at intake areas and points of entry such as main lobbies and waiting rooms. Ayden will also provide notification through

outreach documents, public places postings, local newspapers, other local media, or community based organizations.

MONITORING LANGUAGE NEEDS AND IMPLEMENTATION

Ayden will assess changes in demographics and changes in the types of services needed due to demographic changes and will assess the effectiveness of procedures contained in this Plan, the mechanisms needed for securing interpreter services, complaints filed by LEP individuals, feedback from residents and community organizations, etc.

Compliance Procedures, Reporting and Monitoring

Reporting: Ayden will complete an annual compliance report and send this report to DWI

Monitoring: Ayden will complete a self-monitoring report on a quarterly basis, using a standardized reporting system proposed by the local government. These reports will be maintained and stored by the Title VI Compliance Officer and will be provided to the DWI upon request.

The agency will cooperate, when requested, with special review by the DWI.

Applicant/Recipient Complaints of Discriminatory Treatment

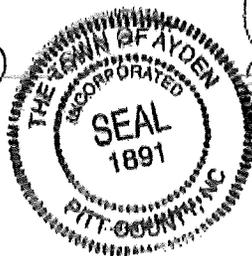
Complaints: Ayden will provide assistance to LEP individuals who do not speak or write in English if they indicate that they would like to file a complaint. A complaint will be filed in writing, contain the name and address of the person filing it or his/her designee and briefly describe the alleged violation of this policy. The form can be found at <http://www.nccommerce.com/rd/community-assistance/investment-assistance/forms-resources/compliance-plans-and-templates/limited-english-proficiency>. Ayden will maintain records of any complaints filed, the date of filing, actions taken and resolution and will notify DWI of complaints filed, the date of filing, actions taken and resolution within 30 days of resolution.

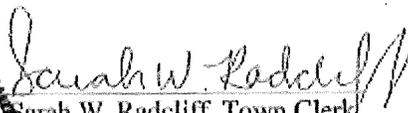
Resolution of Matter: If Ayden cannot resolve a complaint by informal means, Ayden will inform the LEP individual, in their primary language of their right to appeal further to DWI. The DWI Compliance Office will conduct an investigation of the allegations of the complaint and will afford all interested persons and their representatives an opportunity to submit evidence relevant to the complaint. The investigation will not exceed 30 days, absent a 15-day extension for extenuating circumstances. If the investigation indicates a failure to comply with the Act, the local unit of government, agency Director or his/her designee will so inform the recipient and the matter will be resolved by informal means whenever possible within 60 days. If the matter cannot be resolved by informal means, then the individual will be informed of his or her right to appeal further to the Department of Justice. This notice will be provided in the primary language of the individual with Limited English Proficiency. If not resolved by DWI, then complaint will be forwarded to Department of Justice (DOJ), Department of Housing and Urban Development (HUD) Field Office.

Adopted this 11th day of September, 2017

ATTEST:


Stephen W. Tripp, Mayor




Sarah W. Radcliff, Town Clerk

APPLICATION SUMMARY
NC SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM
ECONOMIC DEVELOPMENT

Applicant Name: Town of Ayden

Address:
 Street/Post Office Box: 4144 West Avenue/ PO Box 219
 City: Ayden Zip: 28513

County: Pitt

Contact Person: Steve Harrell Fax: 252-558-0693
 Telephone: 252-481-5826 Email: sharrell@ayden.com

Application Type: (mark w/ an X) Original Application Amended Application

Program Funding Category: Downtown Redevelopment
Project Name: 4260 Lee Street
Private Investment: \$ 125,000.00
SIC/NAICS Code: 451130 DUNS #: 080840139

CDBG Funds Requested:	<u>\$500,000.00</u>
Other Funds and Sources:	
<u>A Quilt Lizzy, LLC</u>	<u>\$125,000.00</u>
_____	<u>\$</u>
_____	<u>\$</u>
_____	<u>\$</u>
Total Project	<u>\$625,000.00</u>

Certification by the Applicant's Chief Elected Official:

I certify that, to the best of my knowledge and belief, that: the data in this application is true and correct; that opportunities have been provided for citizen participation and access to information concerning the proposed activities; that this document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached application certifications if the assistance is approved; and that, if funded, this application is a part of the Grant Agreement.

Typed Name of Elected Official: Stephen W. Tripp

Typed Title: Mayor

Signature:  Date: September 11, 2017

FOR STATE USE ONLY

Date Received: _____ Special Instructions: _____

**CERTIFICATIONS REGARDING DEBARMENT, SUSPENSION AND OTHER
RESPONSIBILITY MATTERS**

Applicants should refer to the regulations cited below. Applicants should also review the instructions for certification included in the regulations before completing this form, signature on this form provides for compliance with certification requirements implementing Federal Executive Order 12549 and guidance issued in the *Federal Register*, Volume 70, No. 168, pages 51863 through 51880 for "Governmentwide Debarment and Suspension (Nonprocurement)." The certification shall be treated as a material representation of fact upon which reliance will be placed when the Department of Commerce determines to award the covered transaction, grant or cooperative agreement.

I. DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, for prospective participants in primary covered transactions.

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification(s).

NAME OF APPLICANT Town of Ayden	AWARD NUMBER AND/OR PROJECT NAME 16-E-2936/ 4260 Lee Street
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE Stephen W. Tripp, Mayor	
SIGNATURE 	DATE September 11, 2017

Disclosure Report for Federally Assisted Projects Small Cities Community Development Block Grant Program

1. Applicant/Recipient Name,
Address, and Phone:

Town of Ayden
4144 West Avenue/PO Box 219
Ayden, NC 28513

2. Check one: Initial Report
 Update Report

3. Social Security Number or
Employer ID Number: 56-6001170

4. Project Name and Location:
4260 Lee Street- Ayden, NC

5. Total Amount requested/received (Including anticipated program income): \$500,000.00

6. Other Government Assistance. Check one:

- No other government assistance is, or is expected to be, provided for this project.
 All other government assistance provided for this project is listed on the attached page(s).

7. Interested Parties. Check one:

- No parties have a reportable financial interest in this project. Interested parties include developers, contractors, consultants, individuals, entities including units of government with a financial interest greater than \$50,000 or 10 percent of the assistance (whichever is lower; being a party to a contract procured under Federal procurement regulations at 24 CFR Part 85 does not, by itself, constitute a reportable financial interest).
 All parties with a reportable financial interest are listed on the attached page(s).

8. Other Government Assistance (Attachment)

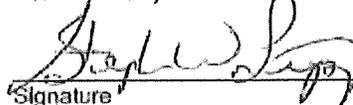
Note: Disclosures must be complete and accurate, but need be made only once for this report. If assistance is reported in the Sources and Uses disclosure section, then it need not also be reported here. If there is assistance reportable here, but reported only in the Sources and Uses disclosure, check here:

Assistance is disclosed in Sources and Uses Attachments

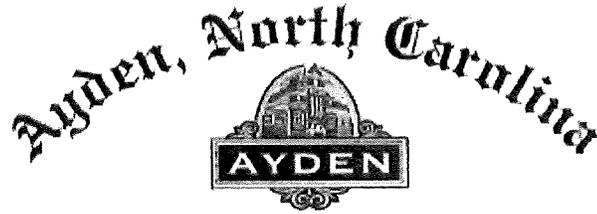
<u>Agency Name and Address</u>	<u>Program and Type of Assistance</u>	<u>Amount Requested/Received</u>
--------------------------------	---------------------------------------	----------------------------------

9. Certification:

I hereby certify that all information in this report and its attachments is true and complete.


Signature

9/11/17
Date



RESOLUTION 17-18-15
TOWN OF AYDEN
APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT-
DOWNTOWN REDEVELOPMENT FUNDING
FOR THE 4260 LEE STREET- (A QUILT LIZZY) PROJECT

WHEREAS, the Board of Commissioners of the Town of Ayden has previously indicated its desire to assist in economic development efforts within the Town; and,

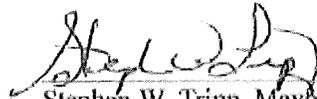
WHEREAS, the Town Board has held two public hearings concerning the proposed application for Community Development Block Grant funding to benefit A Quilt Lizzy, LLC; and,

WHEREAS, the Town Board wishes the Town to pursue a formal application for Community Development Block Grant funding to benefit A Quilt Lizzy, LLC; and where the Company will invest \$125,000.00 into the project as shown in the application.

WHEREAS, the Town Board certifies it will meet all federal regulatory and statutory requirements of the Small Cities Community Development Block Grant Program,

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Town of Ayden that the Town is authorized to submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant for Downtown Redevelopment to benefit A Quilt Lizzy, LLC.

Adopted this the 11th day of September, 2017 in the Town of Ayden, North Carolina.


Stephen W. Tripp, Mayor

ATTEST:


Sarah W. Radcliff, Town Clerk



Mayor Tripp opened the public hearing.

Vickie Harrell, 4123 Park Avenue, spoke in favor of Quilt Lizzy.

With no one else wishing to speak, Mayor Tripp closed the public hearing.

Motion to adopt the resolution to apply 17-18-15.

Motion: Commissioner Davenport

Second: Commissioner Harris

Discussion: None

Approved: 5-0

Motion passed unanimously.

Motion to adopt resolution 17-18-16, program manual

Motion: Mayor Pro-tem Skinner

Second: Commissioner Harris

Discussion: None

Approved: 5-0

Motion passed unanimously.

II. PRESENTATIONS

B. National League of Cities Service Line Warranty Program

Item Explanation

The National League of Cities offers a program that offers insurance to water/sewer customers to cover unexpected private water and/or sewer line repairs for sewer line laterals and septic lines, water and well lines, and interior plumbing. The service is administered by Utility Service Partners, Inc. There is no cost to a municipal government for making this insurance program available and it creates an ongoing revenue stream for participating municipalities via a License Fee paid to the municipality. In North Carolina, the municipalities of Snow Hill, Mooresville, Whiteville, Sanford, Hendersonville and Albemarle offer this water/sewer repair insurance program. Contacts with the municipal managers in each of these municipalities were made and the municipalities of Snow Hill and Hendersonville replied back and both reported good results from this program.

Staff Comments

Emilie Zalfini, Business Development Manager, with Utility Service Partners, Inc., will be present at the Town Board's meeting to make a presentation on this service line warranty program. Enclosed is information on the program, Ms. Zalfini's powerpoint, and the proposed agreement with the Town of Ayden.

Enclosed is a resolution authorizing the Town Manager to execute the enclosed agreement, if the Town Board agrees to implement this service line warranty program. Note that since this agreement involves a Town of Ayden license fee to be paid to the Town by Utility Service Partners, this service line program can only be offered within the corporate limits of the Town.

Action Requested

At the Town Board's discretion, adopt enclosed resolution authorizing the Town Manager to execute the service line warranty program agreement.

Town Attorney Scott Dixon stated he was uncomfortable with there being no dispute resolution clause. He said in section 3 it states if they breach the contract and don't cure it within thirty days, they can still continue with the marketing initiative. He said that was contrary to what Ms. Zalfini had said in her presentation.

Ms. Zalfini said if there was anything in particular that we wanted out of the contract or added to the contract, they would look into it.

Attorney Dixon said they just wanted to add a dispute resolution clause and remove the line in section 3. Mayor Pro-tem Skinner said he would like to see an example of a letter that is sent to citizens. Mayor Tripp said he would like to see how many citizens were signed up in the municipalities that currently offer it, as well as how many times the citizens have used their services. He said our Town Logo is very valuable and we don't need to be throwing it out there to legitimize a business. He said he didn't feel we should commercialize our logo.

Motion to table this item until the next meeting.

Motion: Commissioner Mewborn

Second: Mayor Pro-tem Skinner

Discussion: None

Approved: 5-0

Motion passed unanimously.

III. PUBLIC COMMENTS

No one signed up to speak in the public hearing.

IV. PUBLIC HEARINGS

B. Speed Limit Change – Boulevard Street

Item Explanation

The Ayden Town Board of Commissioners has asked to have the speed limit on Boulevard Street reduced from 25mph to 15mph. This request was initiated after concerns were raised by citizens that reside on Boulevard St.

Boulevard Street is located in Ward 1 and Ward 2 and runs from East Avenue to its end just east of North Edge Road. The request is for the portion of Boulevard Street from East Avenue to North Edge Road, approximately 2500'. The speed limit on Boulevard Street from North Edge Rd to its end was reduced from 15mph to 25mph on August 14, 2017.

Staff Comments

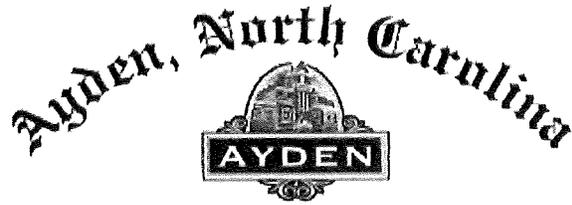
The Ayden Police Department is supportive of the speed limit reduction.

Staff recommends reducing the speed limit on Boulevard Street from 25mph to 15mph.

Action Requested

Conduct a public hearing.

Consider adoption of ordinance 17-18-07 to amend title vii: traffic code – chapter 75- traffic schedules of the Town of Ayden code of ordinances.



ORDINANCE NO. 17-18-07

AN ORDINANCE ADOPTED BY THE GOVERNING BOARD
OF THE TOWN OF AYDEN, NC
TO REVISE THE AYDEN CODE OF ORDINANCES, TRAFFIC SCHEDULE

WHEREAS, the Town of Ayden strives to maintain speed limits on its roadways in order to ensure public safety; and

WHEREAS, the Ayden Town Board along with citizens living along Boulevard Street have expressed concerns regarding the safety of the residents, who live in the vicinity

NOW BE IT ORDAINED, by the Board of Commissioners of the Town of Ayden, that Title VII: Traffic Code –Chapter 75- Traffic Schedule – Schedule X: Speed Limits be amended as follows:

SCHEDULE X: SPEED LIMITS

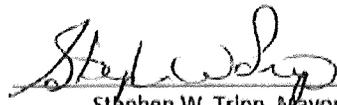
ADD:

<u>Street</u>	<u>Description</u>	<u>Speed Limit</u>
Boulevard St.	From East Avenue to North Edge Rd.	15

BE IT FURTHER ORDAINED by the Board of Commissioners of the Town of Ayden that this ordinance shall be in full force and effective upon its adoption.

Adopted this the 11th day of September, 2017 In Ayden, North Carolina.




Stephen W. Tripp, Mayor

ATTEST:


Sarah W. Radcliff, Town Clerk

Mayor Tripp opened the public hearing.

With no one wishing to speak, Mayor Tripp closed the public hearing.

Motion to adopt ordinance 17-18-07 to amend title vii: traffic code – chapter 75- traffic schedules of the Town of Ayden code of ordinances.

Motion: Commissioner Davenport

Second: Commissioner Mewborn

Discussion: None

Approved: 5-0

Motion passed unanimously.

V. CONSENT AGENDA

- A. Minutes from the May 22, 2017 and June 5, 2017 Budget Workshops
- B. Ayden Rural Association Voluntary Annexation Request

Item Explanation

For your consideration, we have received a petition requesting voluntary annexation submitted by the Ayden Rural Fire Association and the Town of Ayden. The request includes a 2-acre tract located at 1809 NC 102.

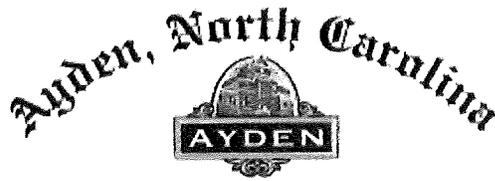
Staff Comments

This request for voluntary annexation of contiguous property must be reviewed in accordance with N.C.G.S. 160A-58.1. As such, the following steps are required:

- Board of Commissioners adopts a Resolution Directing the Town Clerk to Investigate the Sufficiency of the Petition - **August 14, 2017**
- Town Clerk provides Board of Commissioners Certificate of Sufficiency - **September 11, 2017**
- Board of Commissioners adopts a Resolution Setting a Public Hearing - **September 11, 2017**
- Board of Commissioners conducts Public Hearing - **October 9, 2017**
- Board of Commissioners considers Annexation Ordinance - **October 9, 2017**

Action Requested

State for the Record that the Town Clerk has provided a Certificate of Sufficiency
Adopt Resolution Setting Public Hearing on Annexation for October 9, 2017



RESOLUTION NO. 17-18-10
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31

WHEREAS, a petition filed by Ayden Rural Fire Association and the Town of Ayden requesting annexation of the area described herein has been received; and

WHEREAS, the Ayden Board of Commissioners has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED BY THE Ayden Board of Commissioners of the Town of Ayden, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Ayden District Courtroom at 7:00 PM on October 9th, 2017.

Section 2. The area proposed for annexation is described as follows:

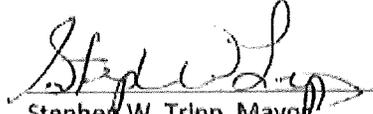
Being a parcel of land in Ayden Township, Pitt County, North Carolina and being bounded on the south by northern right of way line of NC 102, on the east, north and west by the lands of A.T.Venters Properties, LLC and being more particularly described as follows:

Commencing at a point in the existing Town of Ayden Corporate Limits, said point having North Carolina Grid Coordinates of N=629088.81 feet, E= 24800196.47 feet (North American Datum 1983-2011 Adjustment) ; thence N 81°44'42" E 7152.63 feet to an existing #5 rebar in the northern right of way line of NC 102, the southwestern corner of the Town of Ayden tract as recorded in deed book 3580 page 375, **the point of beginning**; thence from said beginning point along the western line of said tract N 02°50'37" E 295.21 feet to an existing #5 rebar , the northwestern corner of said tract; thence S 87°58'54" E 296.21 feet to an existing #5 rebar, the northeastern corner of said tract; thence S 02°30'32" E 295.15 feet to an existing #5 rebar in the northern right of way line of NC 102, the southeastern corner of said tract; thence along the northern right of way line of NC 102 N 87°59'35" E 296.20 feet to the point of beginning containing 2.00± Acres according to a survey by McDavid Associates, Inc. titled Satellite

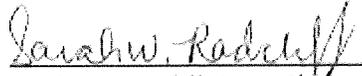
Annexation Survey for Town of Ayden, Tax Parcel No. 82568 dated August 7, 2017.

Section 3. Notice of the public hearing shall be published in Daily Reflector, a newspaper having general circulation in the Town of Ayden, at least ten (10) days prior to the date of the public hearing.

(SEAL)


Stephen W. Tripp, Mayor

ATTEST:


Sarah W. Radcliff, Town Clerk

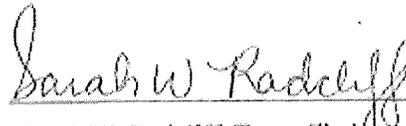


CERTIFICATE OF SUFFICIENCY

To the Ayden Board of Commissioners of the Town of Ayden, North Carolina:

I, Sarah W. Radcliff, Town Clerk, do hereby certify that I have investigated the petition filed by the Ayden Rural Fire Association and the Town of Ayden attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Ayden, this 11th day of September, 2017.


Sarah W. Radcliff, Town Clerk



Item Explanation

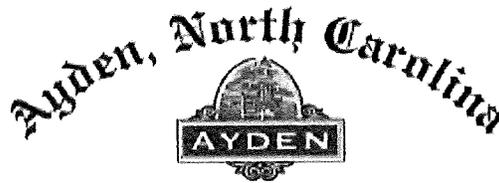
Language from UNC School of Government: "As an alternative to manual signatures, NCGS 159-28.1 (see enclosed) permits the use of signature machines, signature stamps, or similar devices for signing checks or drafts. In practice, these are widely used in local units all across North Carolina. To do so, a governing board must approve the use of such signature devices through a formal resolution or ordinance, which should designate who is to have custody of the devices. For internal control purposes, it is essential that this equipment be properly secured. The finance officer or another official given custody of the facsimile signature device(s) by the governing board is personally liable under the statute for illegal, improper, or unauthorized use of the device(s)."

Staff Comments

New Tyler installed software allows for the electronic signature of checks or drafts. Recommendation of staff is to passage of enclosed resolution authorizing the electronic signature of checks or drafts and assigning the Finance Director as the custodian of the facsimile signature device.

Action Requested

By motion, adoption of resolution.

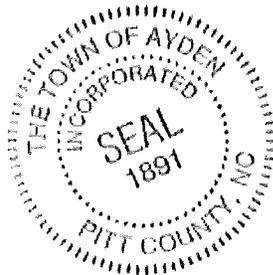


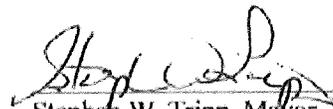
RESOLUTION NO. 17-18-11
APPROVING USE OF ELECTRONIC SIGNATURES FOR SIGNING CHECKS

WHEREAS, as an alternative to manual signatures, NCGS 159-28.1 permits the use of signature machines, signature stamps, or similar devices for signing checks or drafts. In practice, these are widely used in local units all across North Carolina.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Ayden that the electronic signature of Town checks or drafts be authorized and that the Town Finance Director be assigned as the custodian of the facsimile signature device.

Adopted this the 11th day of September, 2017 in Ayden, North Carolina.




Stephen W. Tripp, Mayor
Town of Ayden

ATTEST:


Sarah W. Radcliff, Town Clerk

Item Explanation

At the Town Board's August 14, 2017 regular meeting, the Board outlined the tenets of the Town's Employee Retirement Luncheon Policy to be adopted by the Board at its September 11th regular meeting. Tenets were that the luncheon be catered by a local vendor, all Town employees and retirees invited and that Town budget have \$6,000 budgeted annually for luncheons.

Staff Comments

Enclosed is the staff's rendition of the Town Board's desired policy on employee retirement luncheons in the form of a resolution. The resolution does add to the policy that the luncheons shall be held at the Community Building as a staff recommendation.

Action:

By motion, adopt Employee Retirement Luncheon Policy resolution.



RESOLUTION NO. 17-18-13

RETIREMENT LUNCHEON POLICY

WHEREAS, the Town Board of Commissioners wishes to establish a written policy setting out the tenets of the Town's Employee Luncheon Policy;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Ayden that the following policy for Employee Luncheon Policy be established:

- 1) retirement luncheons shall take place in the Community Building
- 2) retirement luncheons shall be catered by local Ayden vendors
- 3) all current employees and all retired employees of the town shall be invited to the luncheon
- 4) \$6,000 annually shall be budgeted for the respective fiscal year for retirement luncheons

Adopted this the 11th day of September, 2017 in Ayden, North Carolina.



Stephen W. Tripp
Stephen W. Tripp, Mayor
Town of Ayden

ATTEST:

Sarah W. Radcliff
Sarah W. Radcliff, Town Clerk

- E. Resolution Approving a \$153,000 Golden LEAF Foundation Grant for Stormwater Drainage Improvements and a Project Ordinance to be Adopted for the Receipt and Expenditure of Said Grant Dollars

Item Explanation

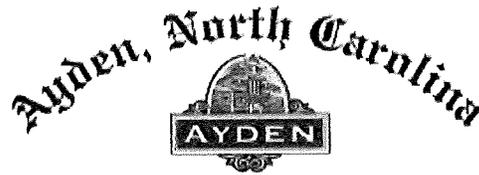
The Town of Ayden has received a \$153,000 grant from the Golden LEAF Foundation for stormwater improvements in the Montclair Estates for a stormwater line replacement running from Hines Drive parallel to Winchester Drive. This grant was awarded for replacement of existing infrastructure due to impact of Hurricane Matthew.

Staff Comments

Attached is a resolution authorizing the Mayor to execute the enclosed grant agreement with the Golden LEAF Foundation.

Action Requested

By motion, adopt resolution authorizing the Mayor to execute the grant agreement with the Golden LEAF Foundation.



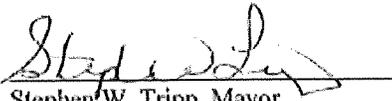
RESOLUTION NO. 17-18-12
RESOLUTION APPROVING \$153,000 GOLDEN LEAF FOUNDATION AGREEMENT FOR
STORMWATER DRAINAGE IMPROVEMENTS

WHEREAS, the Town of Ayden has been awarded a \$153,000 grant from the Golden LEAF Foundation for stormwater improvements in Montclair Estates running from Hines Drive parallel to Winchester Drive. This grant was awarded through the Golden LEAF Foundation for the replacement of existing infrastructure due to impact of Hurricane Matthew;

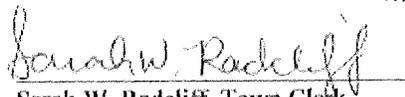
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Ayden that it adopts this resolution authorizing the Mayor to execute the grant agreement with the Golden LEAF Foundation for grant dollars of \$153,000 for stormwater improvements in Montclair Estates.

Adopted this the 11th day of September 2017 in Ayden, North Carolina.




Stephen W. Tripp, Mayor
Town of Ayden

ATTEST:


Sarah W. Radcliff, Town Clerk

- F. Ordinance adopted by the Town of Ayden Governing Board Golden Leaf Foundation Grant Project Budget Montclair Estates Storm Sewer Improvement Project

Item Explanation

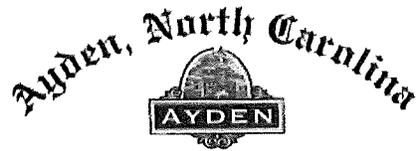
The Town of Ayden has received a \$153,000 grant from the Golden LEAF Foundation for stormwater improvements in the Montclair Estates for a stormwater line replacement running from Hines Drive parallel to Winchester Drive. This grant was awarded for replacement of existing infrastructure due to impact of Hurricane Matthew.

Staff Comments

Attached is a Project Ordinance for adoption for receipt and expenditure of said grant dollars.

Action Requested

By motion, adopt the Project Ordinance for receipt and expenditure of said grant dollars of \$153,000.



ORDINANCE No. 17-18-06
 AN ORDINANCE ADOPTED BY THE TOWN OF AYDEN GOVERNING BOARD
 GOLDEN LEAF FOUNDATION GRANT PROJECT BUDGET
 MONTCLAIR ESTATES STORM SEWER IMPROVEMENT PROJECT

Be it ordained by the Board of Commissioners of the Town of Ayden, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the Town adopts the following Grant Project Budget:

Section 1. The Project is the Town's Montclair Storm Drainage Improvements as authorized in the Golden LEAF Foundation Grant Agreement – Project File Number & Title F&2018-008/Montclair Storm Drainage Improvements.

Section 2. The officers of this unit are hereby directed to proceed with the Grant Project Budget within the terms of the grant documents, the rules and regulations of the Golden LEAF Foundation and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this Project:

Golden LEAF Foundation	\$153,000
------------------------	-----------

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

Project Expenditures	\$153,000
----------------------	-----------

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Accounts sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant documents, federal and state regulations.

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

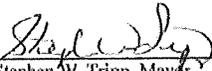
Section 7. The Finance Officer is directed to report annually on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. Copies of this grant project ordinance shall be made available to the Finance Officer for direction in carrying out this project.

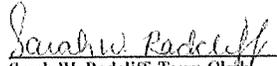
Board of Commissioners adopts this budget with authorization given to the Mayor to approve this budget the 11th day of September, 2017.

AYDEN, NORTH CAROLINA




Stephen W. Tripp, Mayor

ATTEST:


Sarah W. Radcliff, Town Clerk

G. Budget Ordinance Amendment

Item Explanation

General Fund Amendment

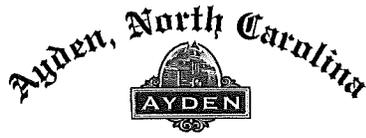
A settlement with Ayden Masonic Lodge has been reached. Approved budget for fiscal year 17/18 had not budget settlement cost. Amendment is needed to cover agreed upon amounts due this year and additional professional fees related to the case.

Staff Comments

See explanation above.

Action Requested

Adopt the enclosed ordinance 17-18-08 to amend the Town of Ayden FY17/18 Annual Budget.



ORDINANCE No. 17-18-08

ORDINANCE TO AMEND THE TOWN OF AYDEN
FY 17-18 BUDGET ORDINANCE

Budget Amendment 1

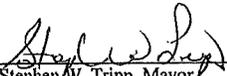
WHEREAS, the Town of Ayden has reached a settlement in its case with the Ayden Masonic Lodge and desires to appropriate the necessary funds to cover the agreed upon settlement and additional professional fees incurred related to the case

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Ayden that the FY 17/18 budget ordinance be amended as follows:

General Fund	Current	Revision	Revised
Revenues/Other Financing Sources			
Fund Balance Appropriated	\$ 102,822.00	\$76,200.00	\$ 179,022.00
All Other General Fund Revenues and OFS	\$ 4,443,870.00		\$ 4,443,870.00
Total Estimated Revenues and OFS	\$ 4,546,692.00	\$76,200.00	\$ 4,622,892.00
Expenditures/Other Financing Uses			
Governing Board	\$ 219,294.00	\$76,200.00	\$ 295,494.00
All Other General Fund Expenditures and OFU	\$ 4,327,398.00		\$ 4,327,398.00
Total Estimated Expenditures and OFU	\$ 4,546,692.00	\$76,200.00	\$ 4,622,892.00

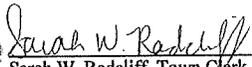
BE IT FURTHER ORDAINED by the Board of Commissioners of the Town of Ayden that this ordinance shall become in full force and effect upon adoption.

Adopted this the 11th day of September 2017.


Stephen W. Tripp, Mayor



Attest:


Sarah W. Radcliff, Town Clerk

- H. Resolution to contract with NC Governor's Highway Safety Program for Police Department Grant Funding

Item Explanation

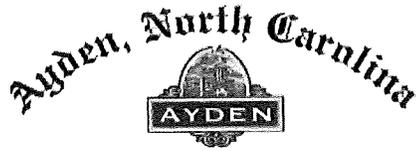
This is for a \$43,000 no match grant. As a condition of the grant, a seat belt condenser has to be purchased for \$20,000 and the remaining \$20,000 is for the department to use as needed for equipment purchases and also as part of Lieutenant Gerald Pierce's training and travel for Governor's Highway Safety activities. The Town purchases the equipment and is reimbursed through the grant.

Staff Comments

The department has received this grant for the last eight years and it has been used for necessary equipment, not just for the Town of Ayden, but for other agencies in the region.

Action Requested

Approve Resolution as presented.



RESOLUTION NO. 17-18-17

A RESOLUTION BY THE GOVERNING BOARD
OF THE TOWN OF AYDEN, NC
AUTHORIZING THE TOWN AND POLICE DEPARTMENT
TO CONTRACT WITH THE NC GOVERNOR'S HIGHWAY SAFETY PROGRAM

WHEREAS, the Ayden Police Department has completed an application contract for traffic safety funding and the Town of Ayden Governing Board has thoroughly considered the problem identified and has reviewed the project as described in the contract.

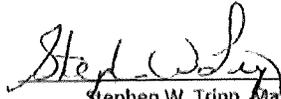
NOW, THEREFORE, BE IT RESOLVED by the Town of Ayden Governing Board the following:

1. The Ayden Governing Board believes the project to be in the best interests of the general public; and
2. Lieutenant Gerald S. Pierce, Jr. is authorized to file, on behalf of the Governing Board an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$43,000.00 to be made to the Governing Board to assist in defraying project costs described in the contract application; and
3. The project director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents, and reports as required by the Governor's Highway Safety Program; and
4. Certified copies of this resolution shall be included as part of the contract referenced.

This resolution shall take effect immediately upon its adoption.

Adopted this the 11th day of September, 2017 in Ayden, North Carolina.




Stephen W. Tripp, Mayor
Town of Ayden

ATTEST:


Sarah W. Radcliff, Town Clerk

VI. ACTION ITEMS

A. Asset Inventory and Assessment (AIA) Grant from the North Carolina Department of Environmental Quality Division of Water Infrastructure

Gary Flowers, Municipal Engineering, presented to the Board.

Item Explanation

Background Information

The Asset Inventory and Assessment (AIA) Grant Programs provide grants for developing asset inventories, condition assessment of critical assets, and other components of a comprehensive asset management program. The goal of the AIA grants is to inventory the existing water and/or sewer system and document the condition of inventoried infrastructure and help municipalities with developing the tools necessary to proactively manage their infrastructure assets in the future.

Available Funding

The grants are limited to \$150,000 maximum from the Wastewater Reserve or Drinking Water Reserve funds. A match is required based on how many of the Local Government Unit (LGU) indicators of percent population change, poverty rate, median household income (MHI), percent unemployment, and property valuation per capita exceed State benchmarks:

- 5 of 5 LGU indicators worse than the state benchmarks = 5% match
- 4 of 5 LGU indicators worse than the state benchmarks = 10% match
- 3 of 5 LGU indicators worse than the state benchmarks = 15% match
- < 3 of 5 LGU indicators worse than the state benchmarks = 20% match

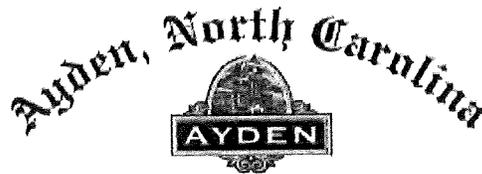
Based on the state's Affordability Calculator, 5 of the 5 LGU indicators for Ayden are worse than the state benchmarks meaning Ayden would provide a 5% match (\$7,500). The match requirement includes a 1.5% grant fee which must be paid. The remainder of the match (or a portion of it) can be achieved with in-kind services of the utility. Realistic and adequate documentation of the utility's internal asset management team members' time would count as in-kind services.

Staff Comments

The Town Board needs to formally adopt resolutions that it has a need for and intends to request state grant assistance to prepare an Asset Inventory and Assessment (AIA) program for the water and sewer systems. Separate resolutions for water and sewer system must be passed. Once approved, Municipal Engineering Services Company (MESCO) will work with town staff to develop and prepare the AIA grant application(s) and will submit the necessary documents to move the request forward. If the grant(s) is approved, MESCO will assist the town in preparing and implementing the tasks outlined in the grant application narrative. Gary Flowers of Municipal Engineering will be at the meeting to make this presentation.

Action Requested

By motion, approve each request resolution individually.



RESOLUTION NO. 17-18-08

RESOLUTION BY TOWN OF AYDEN BOARD OF COMMISSIONERS

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of **Sewer System Asset Inventory and Assessment**, and
- WHEREAS, The Town of Ayden has need for and intends to prepare a Sewer System Asset Inventory and Assessment, and
- WHEREAS, The Town of Ayden intends to request state grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE TOWN OF AYDEN GOVERNING BOARD:

That Town of Ayden, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State AIA grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.

That Steven L. Harrell, Town Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

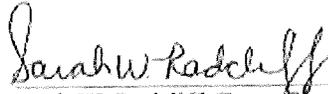
That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 11th day of September, 2017 at Ayden, North Carolina.



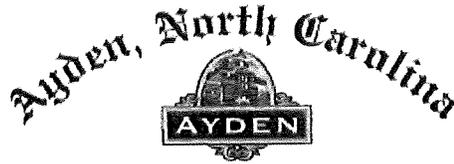

Stephen W. Tripp, Mayor

ATTEST:


Sarah W. Radcliff, Town Clerk

Motion to approve Resolution 17-18-08.

- Motion: Mayor Pro-tem Skinner
- Second: Commissioner Davenport
- Discussion: None
- Approved: 5-0
- Motion passed unanimously.



RESOLUTION NO. 17-18-09

RESOLUTION BY TOWN OF AYDEN BOARD OF COMMISSIONERS

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of **Water System Asset Inventory and Assessment**, and
- WHEREAS, The Town of Ayden has need for and intends to prepare a Water System Asset Inventory and Assessment, and
- WHEREAS, The Town of Ayden intends to request state grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE TOWN OF AYDEN GOVERNING BOARD:

That Town of Ayden, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State AIA grant award.

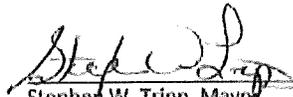
That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.

That Steven L. Harrell, Town Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the project described above.

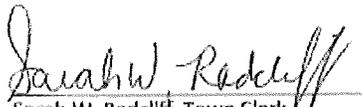
That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

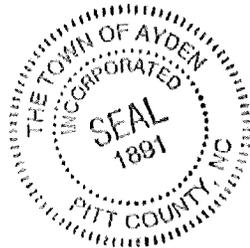
That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 11th day of September, 2017 at Ayden, North Carolina.


Stephen W. Tripp, Mayor

ATTEST


Sarah W. Radcliff, Town Clerk



Motion to approve Resolution 17-18-09.

- Motion: Commissioner Harris
- Second: Commissioner Mewborn
- Discussion: None
- Approved: 5-0
- Motion passed unanimously.

- B. Additional sewer rehabilitation work to CWSRF Project No. CS370902-01, currently under construction.

Background Information

The Town of Ayden was awarded a \$980,000 loan from the North Carolina Clean Water State Revolving Fund program to identify and renew problematic segments of the sanitary sewer collection system to reduce inflow and infiltration (I/I) and rehabilitate three (3) aging sewer lift stations to enhance operations and maintenance, security, worker safety and provide emergency standby power. The project was bid at \$946,746 (low bid), but was \$148,246 over the available construction budget. Post bid negotiations reduced the construction costs to \$798,500. To achieve that cost reduction, several items had to be removed from the contract, mainly several sewer line repair segments and the three (3) backup power generators at lift stations 9, 10 and 12.

Additional Funding Available

At the July construction progress meeting, the NCDEQ State Inspector indicated that additional funding might be available, if the town wished to add more work to the current project. At the current level of funding, approximately 1,800 feet of sewer could be replaced and most of the work at the three (3) lift stations could be accomplished (less the standby generators).

Benefits of Additional Funding

With approximately \$400,000 in additional funding, nearly 4,500 feet of the most critical sewer lines identified by the CCTV inspection could be replaced. For an additional \$170,000, all three (3) standby generators could be installed, as originally designed, at the three (3) lift stations. The new work would increase the 0% interest loan by \$570,000 from \$980,000 to \$1,550,000. As before, any additional funding requests would have to be approved by the Town Board, the Division of Water Infrastructure and the Local Government Commission (LGC). The Town would also be required to pay the additional loan closing costs of approximately \$11,400.

Staff Comments

The Town Board needs to formally request the additional funding. Once approved, the Engineer will contact the Division of Water Infrastructure (DWI) and submit the necessary documents to move the request forward. If approved, the DWI will send out the necessary documents to the town for the additional funds, similar to those required for the initial loan. Gary Flowers of Municipal Engineering, our engineers for this project, will be at the meeting to make this presentation. Enclosed, the Board will find Gary's breakout of the costs for this project.

Rob Taylor, Finance Director, will have information at the Board meeting on rate impact of this 0% interest loan; said rate impact will be in next FY18 – 19.

Action Requested

By motion, authorize request for additional funding of \$570,000 from the N.C. Clean Water State Revolving Fund program.

Motion to authorize the request for additional funding of \$570,000 from the N.C. Clean Water State Revolving Fund program.

Motion: Commissioner Harris

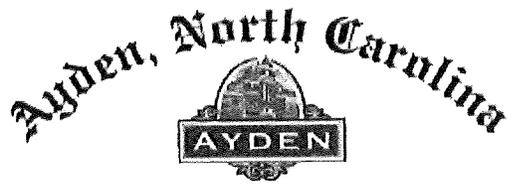
Second: Commissioner Davenport

Discussion: None

Approved: 5-0

Motion passed unanimously.

- C. Resolution in honor and memory of Doctor Glenn Bowen, Jr.



RESOLUTION NO. 17-18-18
IN HONOR AND MEMORY OF DOCTOR GLENN BOWEN, JR.

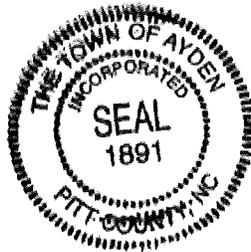
WHEREAS, former Pitt County Commissioner Doctor Glenn Bowen Jr., 80, of Ayden, passed away on September 7, 2017 at Vidant Hospice with his family by his side; and

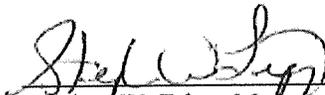
WHEREAS, Commissioner Bowen was a longtime member of St. Delight FWB Church, and his faith was the foundation on which he built his life - a life dedicated to caring for his family, bettering his community and exemplifying leadership and excellence in his professional endeavors; and

WHEREAS, Commissioner Bowen's leadership also extended to his efforts to improve his community through his service on the Pitt County Board of Commissioners, the Board of Directors of the Ayden Collard Festival and the Ayden Chamber of Commerce, and through his membership in the Grifton Masonic Lodge and the Pitt County Shrine Club.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Ayden, North Carolina that the Town Board wishes to extend its sympathy to the family of Commissioner Bowen and to express the Town Board's gratitude to his lifelong service in the community of Ayden and in Pitt County in general.

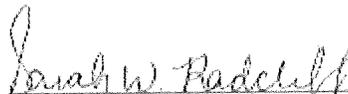
Adopted this the 11th day of September 2017 in Ayden, North Carolina.





Stephen W. Tripp, Mayor
Town of Ayden

ATTEST:



Sarah W. Radcliff, Town Clerk

Motion to approve the resolution 17-18-18.

Motion: Commissioner Harris
Second: Mayor Pro-tem Skinner
Discussion: None
Approved: 5-0

VII. ITEMS FOR DISCUSSION

A. Non-residential Maintenance Code Discussion

This item was moved to the October meeting via amendment to the agenda.

VIII. INFORMATION

A. Staff Departmental Reports

Manager Harrell stated he had received pay classification plans from Farmville, Washington and Tarboro. He stated he would be doing a comparison and bringing it back to the board at the October meeting. Manager Harrell stated the FCC Planning Committee had completed the business plan and the feasibility study, as well as attempting to get funding from the General Assembly. He gave a summary of what the Committee had done thus far. He stated they have \$48,957.38 of the \$100,000 remaining from the Department of Commerce. Manager Harrell recommended they use that money to hire a project manager to work with the non-profit organization to complete the next steps.

Motion to use the remaining funds to hire a project manager to work with the non-profit organization to complete the next steps.

Motion: Commissioner Harris
Second: Commissioner Mewborn
Discussion: None
Approved: 5-0

Motion passed unanimously.

IX. BOARD MEMBER COMMENTS

The commissioners thanked everyone for coming and staff for their hard work.

X. ADJOURNMENT

Having completed the business before them, Mayor Tripp announced that without objection the Governing Board would stand adjourned at 8:46p.m.

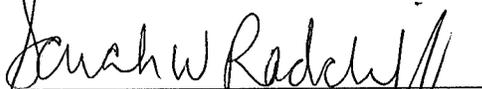
CERTIFICATION

Minutes from the September 11, 2017 meeting were adopted and certified this 9th day of October 2017 in Ayden, North Carolina.

AYDEN, NORTH CAROLINA


Stephen W. Tripp, Mayor

ATTEST:


Sarah W. Radcliff, Town Clerk

