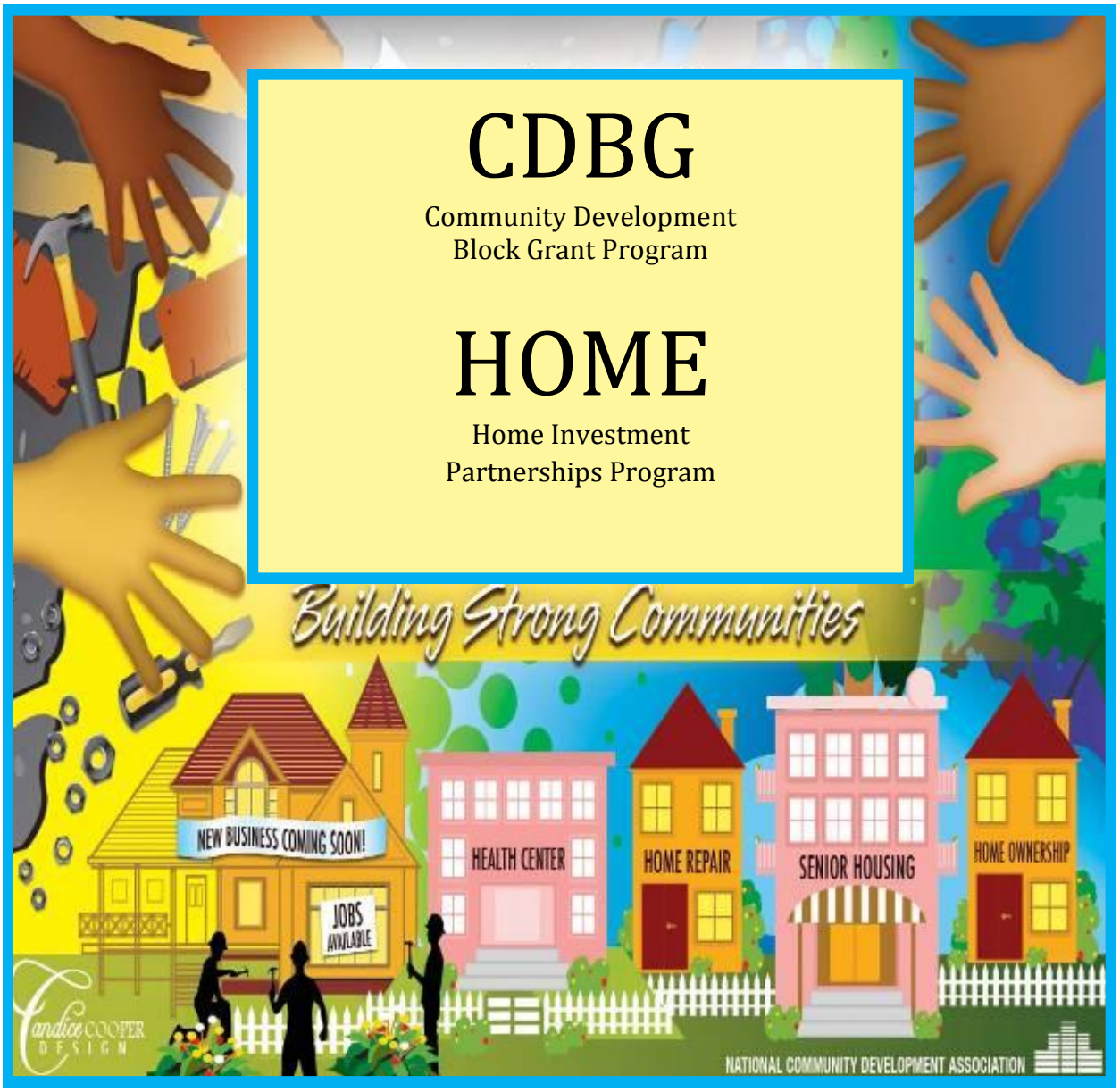
County of Lexington, South Carolina
Community Development Department

Annual Action Plan



PROGRAM YEAR 2014

JULY 1, 2014 – JUNE 30, 2015

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INTRODUCTION

The County of Lexington has been a participant in the Community Development Block Grant (CDBG) Program since July 1, 2000. On July 1, 2008, the County became a Participating Jurisdiction (PJ) in the HOME Investment Partnerships (HOME) Program. These programs are sponsored by the United States Department of Housing and Urban Development (HUD) through an annual federal budget allocation.

Community Development Block Grant (CDBG) Program

The County's participation in the CDBG Program is through the Urban County Entitlement portion of this block grant. It became eligible for this entitlement when its population exceeded 200,000 in the unincorporated areas. The County receives funds directly from HUD each year, based on Congressional apportionment.

The primary objective of the CDBG Program is to develop sustainable communities for persons of low- and moderate-income (LMI), thereby improving the housing, quality of life, and economic conditions of the Lexington community. HUD defines LMI as household income that is less than 80% of area median income.

Activities under the County of Lexington's CDBG Program must predominately benefit persons of low- and moderate-income, be eligible under the CDBG requirements, and meet a minimum of one of three HUD national objectives:

- Benefit LMI persons
- Aid in the prevention or elimination of slum or blight
- Meet an urgent need

HOME Investment Partnerships (HOME) Program

In 2008, the County of Lexington became a participating jurisdiction (PJ) in the HOME Investment Partnerships (HOME) Program. HOME is the largest Federal block grant provided to state and local governments designed exclusively to create affordable housing for low-income households, which is the primary objective of the Program. Each year, the Program allocates funding among the states and hundreds of localities nationwide. These funds are often used in partnership with local non-profit groups to fund a wide range of activities that build, buy, and/or rehabilitate affordable housing for rent or homeownership or provide direct rental assistance to low- and moderate-income households.

HOME funds are provided to local governments based on five indicators of affordable housing needs:

- Inadequacy of housing supply
- Supply of substandard rental housing
- Cost of producing housing
- Incident of poverty
- Fiscal capacity to carry out housing activities without Federal assistance

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HOME Program's values and principles:

- HOME's flexibility empowers people and communities to design and implement strategies tailored to their own needs and priorities.
- HOME's emphasis on consolidated planning expands and strengthens partnerships among all levels of government and the private sector in the development of affordable housing.
- HOME's technical assistance activities and set-aside for qualified community-based non-profit housing groups builds the capacity of these partners.
- HOME's requirement that PJ's match 25 cents of every dollar in program funds mobilizes community resources in support of affordable housing.

Annual Action Plan

In accordance with HUD guidelines, the Annual Action Plan is developed each year to identify specific activities that address priorities and goals established in the Five-Year Consolidated Plan.

In developing the Annual Action Plan, the County reviews its Consolidated Plan, seeks public input, and conducts both formal and informal needs assessments to determine whether or not the County's Consolidated Plan needs to address additional priorities through the County's CDBG and HOME Programs.

The Consolidated Plan outlines the following priorities for the County's HUD Entitlement Grant Programs:

- *Priority Need 1:* Ensure adequate and dependable public facilities are available to provide for basic and essential needs and services.

- *Priority Need 2:* Ensure adequate and safe infrastructure to meet basic needs of residents.

- *Priority Need 3:* Establish or support programs that provide needed public services and/or increase the level of service provided by existing programs.

- *Priority Need 4:* Support and provide assistance to non-profit and for-profit entities that create, increase, or retain employment opportunities for LMI persons.

- *Priority Need 5:* Provide and/or support adequate, safe, and affordable housing.

- *Priority Need 6:* Provide mechanisms and forums for collaboration, coordination, and capacity building.

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CITIZEN PARTICIPATION

Throughout the year, the County provides opportunities for citizen participation which supports in the development of the Annual Action Plan. The following meetings were open to the public and included discussions of the County's housing and community development needs and activities to be undertaken as described in the Annual Action Plan.

- 9/5/2013 Consolidated Annual Performance and Evaluation Report (CAPER) and Annual Needs Assessment Public Hearing
- 1/16/2014 Grant Programs Division Advisory Committee Meeting
- 2/11/2014 Lexington County Council Planning & Administration Committee Meeting
- 2/25/2014 Lexington County Council Meeting

A public notice and public hearing for the draft 2014 Annual Action Plan was published in *The Lexington County Chronicle* and the draft was placed on the County's website on April 3, 2014. A public hearing is scheduled for Friday, April 25, 2014 at the County Administration Building in Lexington, South Carolina. Additionally, a 30-day comment period will be opened from April 4, 2014 to May 5, 2014.

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RESOURCES

Federal Resources

CDBG and HOME funds are the only formula entitlement grant funds that the County of Lexington receives directly from the United States Department of Housing and Urban Development (HUD). HUD establishes the annual award for all Urban Entitlement Counties and Participating Jurisdictions. The County's CDBG funds are not being used to meet local match requirements for any other HUD programs. Projects identified in this Annual Action Plan will be funded from the County's 2014 CDBG and HOME allocations, which are $1,430,489 and $498,618, respectively. Whenever feasible, the County will provide in-kind services, funds for operating costs, furnishing, and equipment, other available funds, or real property to carry out the activities identified in this Action Plan.

The CDBG Program has approximately $40,016 in uncommitted funds from previous years that will be included when making project awards for FY 2014-15. The uncommitted funds are from awarded projects that were completed under budget.

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CDBG Administration and Projects

Regulations limit the amount of grant expenditures for planning and administration costs of the CDBG Program to 20% of the annual grant allocation. Based on the 2014 award amount of $1,430,489 the County is limited to no more than $286,097 for planning costs and administration. The County has budgeted approximately 20% of the 2014 grant award for planning and administration costs.

The CDBG Program regulations also limit the amount of expenditures for public service activities. In accordance with these limitations, the County does not allocate more than 15% of the annual grant amount for public service activities during a program year. Based on the 2014 award amount, the County is limited to award no more than 15% of $1,430,489 or $214,573 for these activities. The County has conservatively budgeted $181,000, which is just under 13% of the grant award for public service activities.

Additionally, the remaining $40,016 in uncommitted CBDG funds will be carried over into FY2014-15 for projects and contingency to cover potential cost overruns in the activities described in this Action Plan. If these funds are awarded for any other activities, the appropriate citizen participation and amendment processes described in the County's Citizen Participation Plan will be undertaken.

CDBG Program Year 2014 Funding Sources	
CDBG Grant Allocation	$1,430,489
CDBG – Prior Years Contingency	$40,016
TOTAL:	**$1,470,505**

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FY 2014-15 CDBG Projects				
Activities	**Previous Years Funds**	**2014 Program Funds**	**Est. Program Income**	**Total Funds Allocated**
Infrastructure & Other Public Facilities				
Babcock Center, Inc. *Three Fountains WAC Interior Improvements*		$14,000		$14,000
BCCEC – Brookland Lakeview Empowerment Center *Senior Center Roof Replacement*		$110,000		$110,000
Sistercare, Inc. *Shelter Facility Improvements*		$35,000		$35,000
Town of Gaston *ADA Upgrades to Police Department*		$31,000		31,000
Town of Lexington *Duffie Street Sidewalk Upgrade*		$130,000		$130,000
Public Services				
Boys & Girls Club *BE GREAT Academy Afterschool Program*		$10,000		$10,000
Harvest Hope Food Bank *Summer Backpack Child Feeding Program*		$30,000		$30,000
Irmo Chapin Recreation Commission *Afternoon Adventures for Children with Disabilities*		$18,000		$18,000
Irmo Chapin Recreation Commission *ADA Vehicle for Program Transport*		$53,000		$53,000
Lexington School District One *Pelion Youth Summer Arts Program*		$40,000		$40,000
Midlands Housing Alliance, Inc. *Transitions Homeless Shelter Operational Support*		$30,000		$30,000
Affordable Housing & Neighborhood Revitalization				
Acquisition and Affordable Housing Program		$250,000		$250,000
Minor Housing Repair (MHR) Program		$231,392		$231,392
Central SC Habitat for Humanity		$162,000		$162,000
Administration				
CDBG Program Administration		$286,097		$286,097
Contingency				
2013 Project Contingency	$40,016			$40,016
TOTAL:	**$40,016**	**$1,430,489**		**$1,470,505**

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FY 2014-15 CDBG Distribution
Award: $1,430,489

CDBG Projects Total Funds Allocated	
Infrastructure & Other Public Facilities	
Babcock Center, Inc. Three Fountains WAC Interior Improvements	$14,000
BCCEC BLEC Senior Center Roof Replacement	$110,000
Sistercare, Inc. Shelter Facility Upgrades	$35,000
Town of Gaston ADA Improvements to Police Department	$31,000
Town of Lexington Duffie Street Sidewalk Upgrades	$130,000
Public Service	
BE GREAT Academy Afterschool Program	$10,000
Harvest Hope Food Bank Summer Backpack Child Feeding Program	$30,000
Irmo Chapin Recreation Commission Afternoon Adventures for Children with Disabilities	$18,000
Irmo Chapin Recreation Commission ADA Vehicle for Program Transport	$53,000
Lexington School District One Pelion Youth Summer Arts Program	$40,000
Midlands Housing Alliance, Inc./Transitions Homeless Shelter Operational Support	$30,000
Affordable Housing & Neighborhood Revitalization	
Acquisition and Affordable Housing Program	$250,000
Central SC Habitat for Humanity	$162,000
Minor Housing Repair (MHR) Program	$231,392
Program Administration	
CDBG Program Administration	$286,097
TOTAL:	**$1,430,489**

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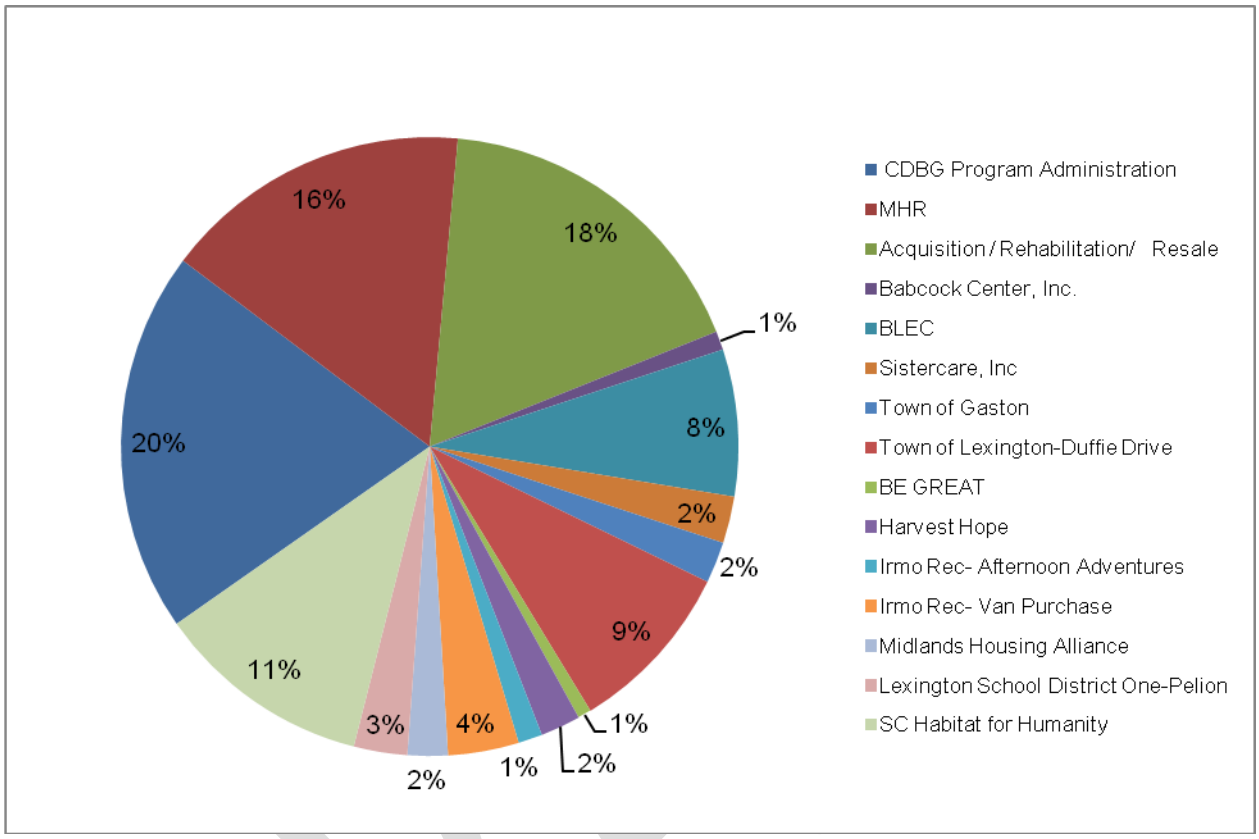
CDBG Chart of Distribution
Allocation: $1,430,489



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HOME Administration and Projects

Regulations limit the amount of grant expenditures for administration and planning costs of the HOME Program to 10% of the annual grant allocation. Based on the 2014 award amount of $498,618, the County is limited to no more than $49,861 for these costs. The County has budgeted $47,974 of the 2014 grant award and $36,250 of County general funds for planning costs and administration. The County will continue to use CDBG program funds for project delivery costs, which include housing rehabilitation, lead-based paint inspections, and the preparation of work specifications for the Comprehensive Housing Rehabilitation Pprograms and Community Housing Development Organization/Acquisition Affordable Housing Programs. Additional funds for administrative costs to implement the HOME Program will be provided through the County's general fund. The County will use the HOME recapture rules for all HOME projects.

HOME Program Year 2014 Funding Sources	
HOME Grant Allocation	$498,618
Lexington County General Fund	$36,250
TOTAL:	**$534,868**

FY 2014-15 HOME Projects				
Activities	**2014 Program Funds**	**Federal Match Requirement**	**Est. Program Income**	**Total Funds Allocated**
Affordable Housing				
Comprehensive Housing Rehabilitation Program	$178,871			$178,871
Acquisition and Affordable Housing *Community Housing Development Organization (CHDO)*	$271,773			$271,773
Administration				
HOME Program Administration	$47,974			$47,974
Lexington County General Fund		$36,250		$36,250
TOTAL:	**$498,618**	**$36,250**		**$534,868**

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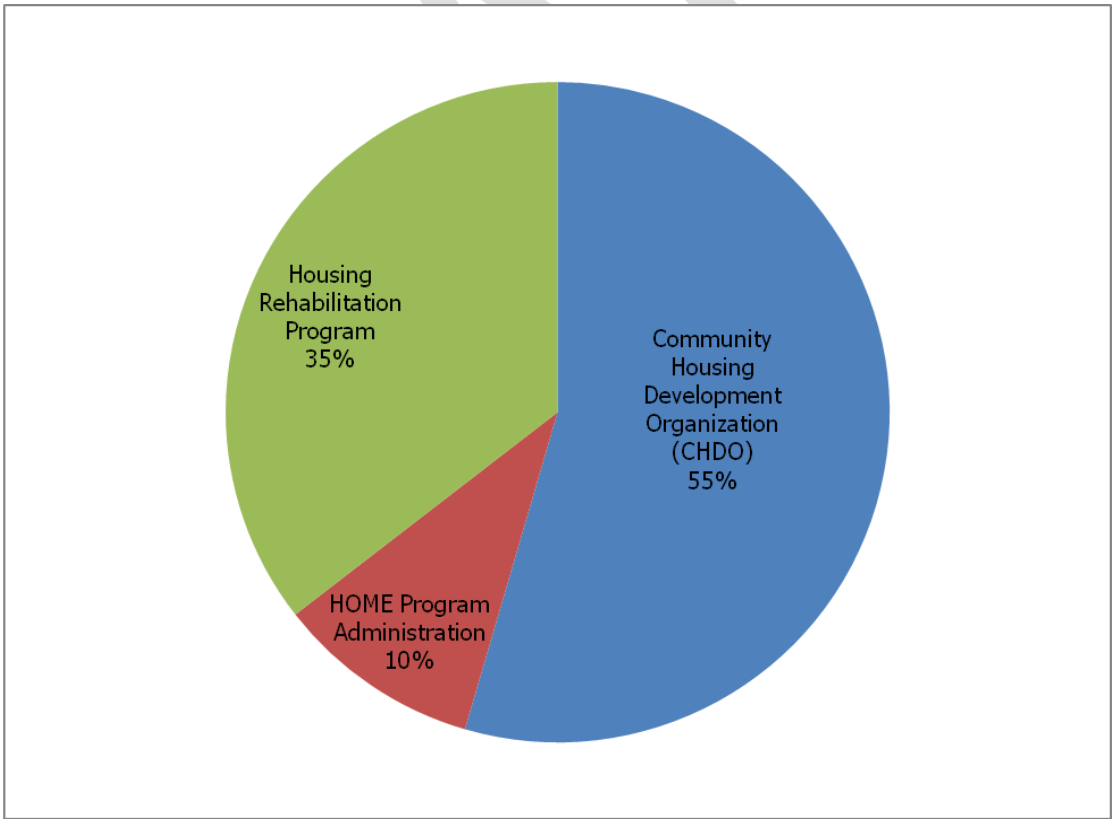
FY 2014-15 HOME Distribution
Award: $498,618

2013-14 HOME Projects	Total Funds Allocated
Comprehensive Housing Rehabilitation Program	$271,773
Acquisition/Affordable Housing Program (CHDO)	$178,871
HOME Program Administration (10% of grant)	$47,974
TOTAL:	**$498,618**

HOME Chart of Distribution
Allocation: $498,618



Other Resources

In an effort to strengthen and increase the utilization of CDBG funds and to leverage additional funding, the County of Lexington requires that all CDBG subrecipients provide a 10% cash match for the funding awarded.

A number of other resources, including private, non-profit, local, state and federal programs, can be used to address housing, community development, and special needs. Nearly 70 organizations provide services on a statewide or regional basis for non-homeless, special needs populations including the elderly, low-income families, persons with mental and physical disabilities, and persons with HIV/AIDS. These organizations provide advocacy, direct assistance, funding, information, or referrals for these populations.

The majority of funding for housing and community development programs in the County of Lexington originates from federal sources. Some programs including CDBG, HOME, Low-Income Housing Tax Credits (LIHTCs), Section 8 rental assistance programs, and Low-Income Home Energy Assistance (LIHEAP), are allocated based on formulas. Other programs are available only on a demonstration basis or through a competitive process on a national or regional level. These sources of funds are more difficult to obtain and less secure as long-term funding sources.

HOME Match Requirements

Match requirements for the County's HOME Program for FY 2014-15 will be met through the following non-federal funding sources:

- Habitat for Humanity - Affordable Housing and Rehabilitation Projects
- CHDO: Community Assistance Provider, Inc. - Affordable Housing Projects
- County of Lexington - Federal Match Requirement

The match will be met through the private donations used to purchase materials and the calculated value of volunteer labor hours. According to HOME Program guidelines, match funding occurring during the program year will be carried forward to meet match requirements in future program years. The County maintains a match log to document all match contributions.

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2014-2015 Activities

Infrastructure and Public Facility Renovations

Duffie Sidewalk Upgrade	
Town of Lexington	
Description	
Funds will be used for approximately 3,440 LF (Linear Feet) of ADA-compliant sidewalk along Duffie Drive and Hendrix Street to safely connect Lexington Workforce Center, The Central Midlands Transitional Retreat, Lexington County Recreational Facilities, and the Town of Lexington Dog Park.	

Eligibility Citation:	**570.201 (c)**	**Funding:**	
		CDBG (2014):	**$130,000**
National Objective:	**570.208 (a)(1) Low Mod Area**	**Town of Lexington:**	**$14,396**
HUD Matrix Code:	**03L**	**Estimated Project Total:**	**$144,396**
Location:	Duffie Street, Lexington		
Priority Need:	Ensure adequate and safe infrastructure to meet basic needs of residents.		
Performance Objective:	Suitable Living Environment		
Performance Outcome:	Improve Availability/Accessibility		

Proposed Accomplishment:	**Completion Date:**
This project will benefit 125 people with 100% being LMI residents.	June 30, 2016

Administered by:	The Town of Lexington and Central Midlands COG

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Senior Center Roof Replacement			
Brookland Center for Community Change			
Description This project will consist of replacing a portion of the roof at the Brookland-Lakeview Empowerment Center (BLEC), which is being renovated to house social service programs of which will be the Senior Services Center for the residents in this community and the greater West Columbia area.			
Eligibility Citation:	**570.201 (c)**	**Funding:**	
		CDBG (2014):	**$110,000**
National Objective:	**570.208 (a)(2) Limited Clientele**	**BCCEC:**	**$12,222**
HUD Matrix Code:	**03A-Senior Centers**		
Location:	1218 Batchelor Street, West Columbia	**Estimated Project Total:**	**$122,222**
Priority Need:	Ensure adequate and safe infrastructure to meet basic needs of residents.		
Performance Objective:	Suitable Living Environment		
Performance Outcome:	Improve Availability/Accessibility		
Proposed Accomplishment: This project will benefit 500 people with 60% being LMI residents.		**Completion Date:** June 30, 2016	
Administered by:	Brookland Center for Community Change		

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Shelter Upgrades	
Sistercare, Inc.	
Description CDBG funds will be used to renovate and expand a damaged room, add a fire escape stair addition to meet fire safety codes, and enclose a porch/roof system with screening to provide some measure of security from abusers or other dangerous intruders at the Lexington County I Shelter.	

Eligibility Citation:	**570.201 (c)**	**Funding:**	
		CDBG (2014):	**$35,000**
National Objective:	**570.208 (a)(2) Limited Clientele**	**Sistercare, Inc.:**	**$3,520**
HUD Matrix Code:	**03C-Homeless Facilities (no operating costs)**	**Estimated Project Total:**	**$38,520**
Location:	Confidential		
Priority Need:	Ensure adequate and safe infrastructure to meet the basics needs of residents.		
Performance Objective:	Suitable Living Environment		
Performance Outcome:	Improve Availability/Accessibility		
Proposed Accomplishment: This project will benefit 175 residents.		**Completion Date:** December 31, 2014	
Administered by:	Sistercare, Inc.		

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ADA Improvements to Police Department			
Town of Gaston			
Description To make ADA-compliance upgrades at the Town's Police Department to include renovating counter tops, public restrooms, and installing ADA- compliant water fountains.			
Eligibility Citation:	**570.201 (c)**	**Funding:**	
		CDBG (2014):	**$31,000**
National Objective:	**570.208 (a)(1) Low Mod Area**	**Town of Gaston:**	**$3,100**
HUD Matrix Code:	**03 Other Public Facilities / Improvements**	**Estimated Project Total:**	**$34,100**
Location:	186 Carlisle Street, Gaston		
Priority Need:	Ensure adequate and safe infrastructure to meet the basics needs of residents.		
Performance Objective:	Suitable Living Environment		
Performance Outcome:	Improve Availability/Accessibility		
Proposed Accomplishment: This project will benefit residents of the Town of Gaston.		**Completion Date:** June 30, 2016	
Administered by:	The Central Midlands Council of Governments		

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Facility Improvements			
Babcock Center, Inc.			
Description The project will consist of finishing interior walls with linear panels to cover exposed insulation and wall grits, thereby ensuring the health and safety of the people with lifelong disabilities supported at this program. It will also create a more suitable environment for skills acquisition and will enhance the lives of the individuals who are supported at the program on a daily basis.			
Eligibility Citation:	**570.201 (c)**	**Funding:**	
		CDBG (2014):	**$14,000**
National Objective:	**570.208 (a)(2) Limited Clientele**	**Babcock Center:**	**$1,644**
HUD Matrix Code:	**03B-Handicapped Centers**	**Estimated Project Total:**	**$15,644**
Location:	2744 A Emanuel Church Road West Columbia		
Priority Need:	Ensure adequate and safe infrastructure to meet the basics needs of residents.		
Performance Objective:	Suitable Living Environment		
Performance Outcome:	Improve Availability/Accessibility		
Proposed Accomplishment: This project will benefit 125 people with 100% being LMI residents.		**Completion Date:** December 31, 2014	
Administered by:	Babcock Center, Inc.		

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Public Service

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ADA Vehicle for Program			
Irmo Chapin Recreation Commission			
Description Purchase of a 27 passenger bus that will be Jacob's Law (56-5-195, SC Code of Laws) compliant. The bus will assist the ICRC in transporting individuals with disabilities both in our Senior Services Program and Therapeutic Recreation Program and could potentially provide an additional 1,200 units of service per year.			
Eligibility Citation:	**570.201 (e)**	**Funding:**	
		CDBG (2014):	**$53,000**
National Objective:	**570.208 (a)(2) Limited Clientele**	**ICRC**	**$4,862**
HUD Matrix Code:	**05B-Handicapped Services**	**Estimated Project Total:**	**$57,862**
Location:	1098 Old Lexington Highway, Chapin		
Priority Need:	Establish or support programs that provide needed public services and/or increase the level of service provided by existing programs.		
Performance Objective:	Suitable Living Environment		
Performance Outcome:	Sustainability		
Proposed Accomplishment: This project will benefit 21 LMI youth ages 5-13.		**Completion Date:** June 30, 2015	
Administered by:	Irmo Chapin Recreation Commission		

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Pelion Summer Youth Arts Program			
Lexington School District One			
Description The proposed project is a four-week/four-day summer arts program that will serve 100 low- and moderate-income students in grades 1-5 in Pelion. The program will enhance the arts in Pelion by exposing students to various art forms such as dance, music, theatre, and visual arts.			
Eligibility Citation:	**570.201 (e)**	**Funding:**	
		CDBG (2014):	**$40,000**
National Objective:	**570.208 (a)(2) Limited Clientele**	**Lexington School District One :**	**$25,845**
HUD Matrix Code:	**05L-Child Care Services**	**Estimated Project Total:**	**$65,845**
Location:	Pelion		
Priority Need:	Establish or support programs that provide needed public services and/or increase the level of service provided by existing programs.		
Performance Objective:	Suitable Living Environment		
Performance Outcome:	Availability/Accessibility		
Proposed Accomplishment: This project will benefit 100+ people with 100% being LMI residents.		**Completion Date:** September 30, 2014	
Administered by:	Pelion/Lexington School District One		

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Summer Backpack Child Feeding Program			
Harvest Hope Food Bank			
Description Funds will be used to expand the Backpack Child Feeding Program to six schools in Lexington County and to extend this program into the summer months. This will allow the program to provide food to 1,800 families over the lean summer months.			
Eligibility Citation:	**570.201 (e)**	**Funding:**	
		CDBG (2014):	**$30,000**
National Objective:	**570.208 (a)(2) Limited Clientele**	**Harvest Hope :**	**$267,724**
HUD Matrix Code:	**05-Other Public Services**	**Estimated Project Total:**	**$297,724**
Location:	Pelion, Batesburg-Leesville, West Columbia, Cayce, and Swansea		
Priority Need:	Establish or support programs that provide needed public services and/or increase the level of service provided by existing programs.		
Performance Objective:	Suitable Living Environment		
Performance Outcome:	Sustainability		
Proposed Accomplishment: This project will benefit 2,040 LMI youth.		**Completion Date:** June 30, 2015	
Administered by:	Harvest Hope Food Bank		

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Transitions Operational Support			
Midlands Housing Alliance, Inc. /Transitions			
Description Midlands Housing Alliance, Inc. (MHA) aims to enhance the lives of adult men and women who are currently homeless by providing essential supplies and services while assisting individuals in rebuilding their lives and reentering the community in a productive manner. Such supplies include hygiene products, linens, kitchen equipment, and bus tickets. Funding will also be used to supplement the cost of an intake coordinator.		 	
Eligibility Citation:	**570.201 (e)**	**Funding:**	
		CDBG (2014):	**$30,000**
National Objective:	**570.208 (a)(2) Limited Clientele**	**MHA/Transitions:**	**$25,555**
HUD Matrix Code:	**03T-Operating Costs of Homeless/AIDS Patients Programs**	**Estimated Project Total:**	**$55,555**
Location:	2025 Main Street, Columbia		
Priority Need:	Establish or support programs that provide needed public services and/or increase the level of service provided by existing programs.		
Performance Objective:	Suitable Living Environment		
Performance Outcome:	Availability/Accessibility		
Proposed Accomplishment: This project will benefit more than 150 Lexington residents per year.		**Completion Date:** June 30, 2015	
Administered by:	Midlands Housing Alliance Inc. / Transitions		

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Afternoon Adventures Program for Children with Disabilities			
Irmo Chapin Recreation Commission			
Description Funding will provide a new resource for Chapin families with children with disabilities, as no such program currently exists in the area. Afternoon Adventures offers these families affordable afterschool care that can accommodate each child's special needs in a safe and nurturing environment.			
Eligibility Citation:	**570.201 (e)**	**Funding:**	
		CDBG (2014):	**$18,000**
National Objective:	**570.208 (a)(2) Limited Clientele**	**ICRC**	**$8,784**
HUD Matrix Code:	**05B-Handicapped Services**	**Estimated Project Total:**	**$26,784**
Location:	1098 Old Lexington Highway, Chapin		
Priority Need:	Establish or support programs that provide needed public services and/or increase the level of service provided by existing programs.		
Performance Objective:	Suitable Living Environment		
Performance Outcome:	Availability/Accessibility		
Proposed Accomplishment: This project will benefit approximately 30 LMI youth.		**Completion Date:** June 30, 2015	
Administered by:	Irmo Chapin Recreation Commission		

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BE GREAT Academy Scholarship Program			
Boys & Girls Club of the Midlands			
Description CDBG funds will be used to provide the Boys & Girls Clubs with operational support for low-and moderate-income children to attend their BE GREAT Academy Afterschool Program. This program offers a variety of youth development programs in core areas including education and career development, character and leadership development, sports, fitness and recreation, health and life skills, and the arts.			
Eligibility Citation:	**570.201 (e)**	**Funding:**	
		CDBG (2014):	**$10,000**
National Objective:	**570.208 (a)(2) Limited Clientele**	**Boys & Girls Clubs of the Midlands**	**$145,950**
HUD Matrix Code:	**05L-Child Care Services**	**Estimated Project Total:**	**$155,950**
Location:	Multiple locations		
Priority Need:	Establish or support programs that provide needed public services and/or increase the level of service provided by existing programs.		
Performance Objective:	Suitable Living Environment		
Performance Outcome:	Availability/Accessibility		
Proposed Accomplishment: This project will benefit approximately 10 LMI students.		**Completion Date:** June 30, 2015	
Administered by:	Boys & Girls Clubs of the Midlands		

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Neighborhood Revitalization

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Minor Housing Repair Program			
The County of Lexington			
Description The Minor Housing Repair Program assists low- and moderate-income homeowners with minor repairs to their homes. This activity will continue an existing County program. We will set aside $231,392 from the FY2014-15 allocation. Additionally, we will allocate $40,016 from FY 2013-14 contingency. Through this program we anticipate assisting approximately 20 homeowners. The total repair for each home generally will not exceed $10,000.			
Eligibility Citation:	**570.202; 570.206**	**Funding:** **CDBG (2014):**	**$231,392**
National Objective:	**570.208 (a)(2) Housing; 570.208 (a)(3) Housing Activities**	**Prior Year Funds:**	**$40,016**
HUD Matrix Code:	**14A-Rehab; Single-Unit Residential; 14H-Rehab: Administration**	**Estimated Project Total:**	**$271,408**
Location:	The County of Lexington		
Priority Need:	Provide and/or support adequate, safe, and affordable housing.		
Performance Objective:	Decent Housing		
Performance Outcome:	Sustainability		
Proposed Accomplishment: This project will benefit approximately 20 LMI households in The County of Lexington.		**Completion Date:** December 31, 2015	
Administered by:	Lexington County Community Development Grant Programs Division		

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Affordable Housing

Acquisition and Affordable Housing			
County of Lexington			
Description This activity will continue an existing County program to acquire and rehabilitate affordable housing for either homeownership or rental activities. Funds may be used in conjunction with the Community Development Organization (CHDO) funding made available through the HOME Program.			
Eligibility Citation:	**570.202; 570.206**	**Funding:**	
		CDBG (2014):	**$250,000**
National Objective:	**570.208 (a)(3) Housing Activities**	**Estimated Project Total:**	**$250,000**
HUD Matrix Code:	**14G-Acquisition for Rehabilitation**		
Location:	The County of Lexington		
Priority Need:	Provide and/or support adequate, safe and affordable housing.		
Performance Objective:	Decent Housing		
Performance Outcome:	Affordability		
Proposed Accomplishment: This program will benefit approximately 4 LMI County of Lexington households.		**Completion Date:** December 31, 2015	
Administered by:	Lexington County Community Development Grant Programs Division		

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Neighborhood Revitalization and Affordable Housing			
Central SC Habitat for Humanity			
Description			
Central SC Habitat for Humanity is seeking CDBG funding to purchase nine (9) lots in the City of Cayce, identified as vacant and/or abandoned, to be purchased, which will result in nine (9) new units of affordable housing for low- and moderate- income persons.			
Eligibility Citation:	**570.202**	**Funding:**	
		CDBG (2014):	**$162,000**
National Objective:	**570.208 (a)(1) Low Mod Area**	**Central SC Habitat for Humanity:**	**$17,980**
HUD Matrix Code:	**14G-Rehab: Acquisition**	**Estimated Project Total:**	**$179,980**
Location:	Peach and Tree Streets, City of Cayce		
Priority Need:	Provide and/or support adequate, safe and affordable housing.		
Performance Objective:	Decent Housing		
Performance Outcome:	Affordability		
Proposed Accomplishment:		**Completion Date:**	
This program will benefit approximately 9 LMI County of Lexington households.		June 30, 2016	
Administered by:	Central South Carolina Habitat for Humanity		

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Community Housing Development Organization (CHDO)			
The County of Lexington			
Description:			
At least 15% of the County's HOME funds must be set aside for organizations which are designated by the County of Lexington as Community Housing Development Organizations (CHDO). Funding allocated for CHDOs may be used for eligible development activities that promote affordable housing activities that are owned, developed, or sponsored by CHDOs. HUD has established criteria to certify CHDOs to assist the Community Development Department in accomplishing the goals and objectives of the HOME Program. Staff has designated four organizations as CHDOs for Lexington County. Funds will be used in conjunction with the Acquisition and Affordable Housing funding made available through the CDBG Program.			
Eligibility Citation:	**92.205 (a)(1)**	**Funding:**	
		HOME (2014):	**$271,773**
HUD Matrix Code:	**13-Direct Homeownership Assistance**	**Estimated Project Total:**	**$271,773**
Location:	The County of Lexington		
Priority Need:	Provide and/or support adequate, safe and affordable housing.		
Performance Objectives:	Decent Housing		
Performance Outcomes:	Affordability		
Outcome Statements:	Enhance Suitable Living Environment through Improved Accessibility, Affordability, and Sustainability. Create Decent Housing with Improved Sustainability / Accessibility.		
Beneficiaries: This project will benefit 10 LMI households in The County of Lexington.		**Completion Date:** June 30, 2016	
Administered by:	Lexington County Community Development Grant Programs Division		

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Housing Rehabilitation Program			
The County of Lexington			
Description:			
The Housing Rehabilitation Program assists low- and moderate-income disabled, elderly, or veteran homeowners with qualifying repairs to their primary residence. Funds will be used to assist approximately six (6) homeowners with significant repair needs. Program guidelines have been structured to allow maximum repair amounts for each home typically not to exceed $20,000, with limited assistance above $20,000 in certain circumstances.			
Eligibility Citation:	**92.205 (a)(1); 92.206 (d)(6)**	**Funding:**	
		HOME (2014):	**$178,871**
HUD Matrix Code:	**14A-Rehab; Single-Unit Residential** **14H-Rehab; Administration**	**Estimated Project Total:**	**$178,871**
Location:	The County of Lexington		
Priority Need:	Provide and/or support adequate, safe and affordable housing.		
Performance Objectives:	Decent Housing		
Performance Outcomes:	Sustainability		
Outcome Statements:	Create Decent Housing with Improved Sustainability and Accessibility.		
Beneficiaries:		**Completion Date:**	
This project will benefit 6 LMI households.		December 31, 2015	
Administered by:	Lexington County Community Development Grant Programs Division		

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RECAPTURE OF FUNDS

The County of Lexington has adopted the recapture provisions for HOME funds. This is a mechanism to recapture all or a portion of the direct HOME subsidy if the HOME recipient decides to sell the house within the affordability period at whatever price the market will bear. Recaptured funds may be used for any HOME-eligible activity. Recapture provisions are as follows:

- The homeowner may sell the property.
- The sale of the property during the affordability period triggers repayment of the direct HOME subsidy that the buyer received when he/she originally purchased the home.
- The recapture of funds is on a prorated scale based on the length of time the applicant maintains ownership and occupies the home. The chart below is an example of the repayment schedule based on an affordability period of five (5) years with a HOME investment of no less than $5,000.

HOME OCCUPANCY TIME LIMIT	REPAYMENT AMOUNT OF LOAN
Under 1 year	100%
1 to 2 years	80%
2 to 3 years	60%
3 to 4 years	40%
4 to 5 years	20%
5 years and over	0%

Enforcement of the recapture restrictions will be ensured through a lien (note, recorded deed of trust, and mortgage securing repayment of the HOME subsidy).

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FHEO PROJECTED RACIAL DEMOGRAPHICS

The following chart represents the projected racial demographics for beneficiaries served through the HOME and CDBG Rehabilitation Programs, Homeownership Assistance Program, and the Acquisition/Rehabilitation/Affordable Housing Program. Actual data will be reported in the Consolidated Annual Performance Evaluation Report (CAPER).

	HOME Rehab Program	CDBG Rehab Program	Acquisition/ Rehabilitation/ Affordable Housing Program
White	4	9	2
Black/African American	3	6	1
Hispanic Latino	1	3	1
Total	**8**	**18**	**4**

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PERFORMANCE MEASUREMENT

On March 7, 2006, HUD established its standards for performance measurement through the publication of the *Notice of Outcome Performance Measurement System for Community Planning and Development Formula Grant Programs* in the Federal Register. As described in the Federal Register, the outcome performance measurement system enables HUD to collect information on the outcomes of activities funded with CPD formula grant assistance and to aggregate that information at the national, state, and local levels.

Each project or activity funded by The County of Lexington's CDBG and HOME programs falls under one of the following objectives that relate to the statutory purposes of the program.

The three objectives are:

1. **Creating a Suitable Living Environment:** In general, this objective relates to activities that are designed to benefit communities, families, or individuals by addressing issues in their living environment. It relates to activities that are intended to address a wide range of issues faced by LMI persons from physical problems with their environment, such as poor quality infrastructure, and from social issues, such as crime prevention, literacy, or health services.

2. **Providing Decent Housing:** The activities that typically would be found under this objective are designed to cover the wide range of housing possible under CDBG and HOME. This objective focuses on housing programs where the purpose of the program is to meet individual family or community needs.

3. **Creating Economic Opportunities:** This objective applies to types of activities related to economic development, commercial revitalization, or job creation.

For each objective selected for a specific project, one of three outcome categories that best reflect what is proposed to be achieved by funding that activity is chosen.

The three outcome categories are:

1. **Improving Availability or Accessibility:** This outcome category applies to activities that make services, infrastructure, public services, housing, or shelter available or accessible to low- and moderate-income persons, including those with disabilities. In this category, accessibility not only refers to physical barriers, but also to making the affordable basics of daily living available and accessible (i.e., increased access to various services, housing units, or facilities) to low- and moderate-income persons. Where a service or facility did not exist, the assistance provided results in new access to that service or facility. Where a service or facility was limited in size or capacity, and the assistance expanded the existing service or facility, the result would be improved access.

2. **Improving Affordability:** This outcome category applies to activities that provide affordability in a variety of ways in the lives of those of low- and moderate-income. It can include creating or maintaining affordable housing, basic infrastructure hookups, or services such as transportation or daycare.

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3. **Improving Sustainability:** This outcome applies to projects where the activity or activities are aimed at improving communities or neighborhoods, helping to make them livable or viable by providing benefit to persons of low- and moderate-income or by removing or eliminating slums or blighted areas, through multiple activities or services that sustain communities or neighborhoods.

The three objectives are combined with the three outcome categories to come up with a matrix of nine potential outcome statements. These objectives, outcomes, and outcome strategies are reviewed and assigned to each project and entered into HUD's Integrated Disbursement Information System (IDIS) to comply with the performance measurement standards.

OUTCOME STATEMENT MATRIX			
	Outcome 1: Availability or Accessibility	***Outcome 2:*** Affordability	***Outcome 3:*** Sustainability
Objective 1: Suitable Living Environment	Enhance Suitable Living Environment through Improved Accessibility	Enhance Suitable Living Environment through Improved or New Affordability	Enhance Suitable Living Environment through Improved or New Sustainability
Objective 2: Decent Housing	Create Decent Housing with Improved or New Availability	Create Decent Housing with Improved or New Affordability	Create Decent Housing with Improved or New Sustainability
Objective 3: Economic Opportunities	Provide Economic Opportunity through Improved or New Accessibility	Provide Economic Opportunity through Improved or New Affordability	Provide Economic Opportunity through Improved or New Sustainability

GEOGRAPHIC DISTRIBUTION

For the 2014 Program Year, The County of Lexington's CDBG and HOME programs will provide funds for projects throughout the County. Geographic distribution and socio-economic conditions are considered carefully when reviewing proposals.

The following map shows the approximate locations of site-specific proposed projects for the year. Projects and sites were chosen in keeping with the County's continued focus on expending CDBG and HOME funds to address the needs of LMI persons and areas.

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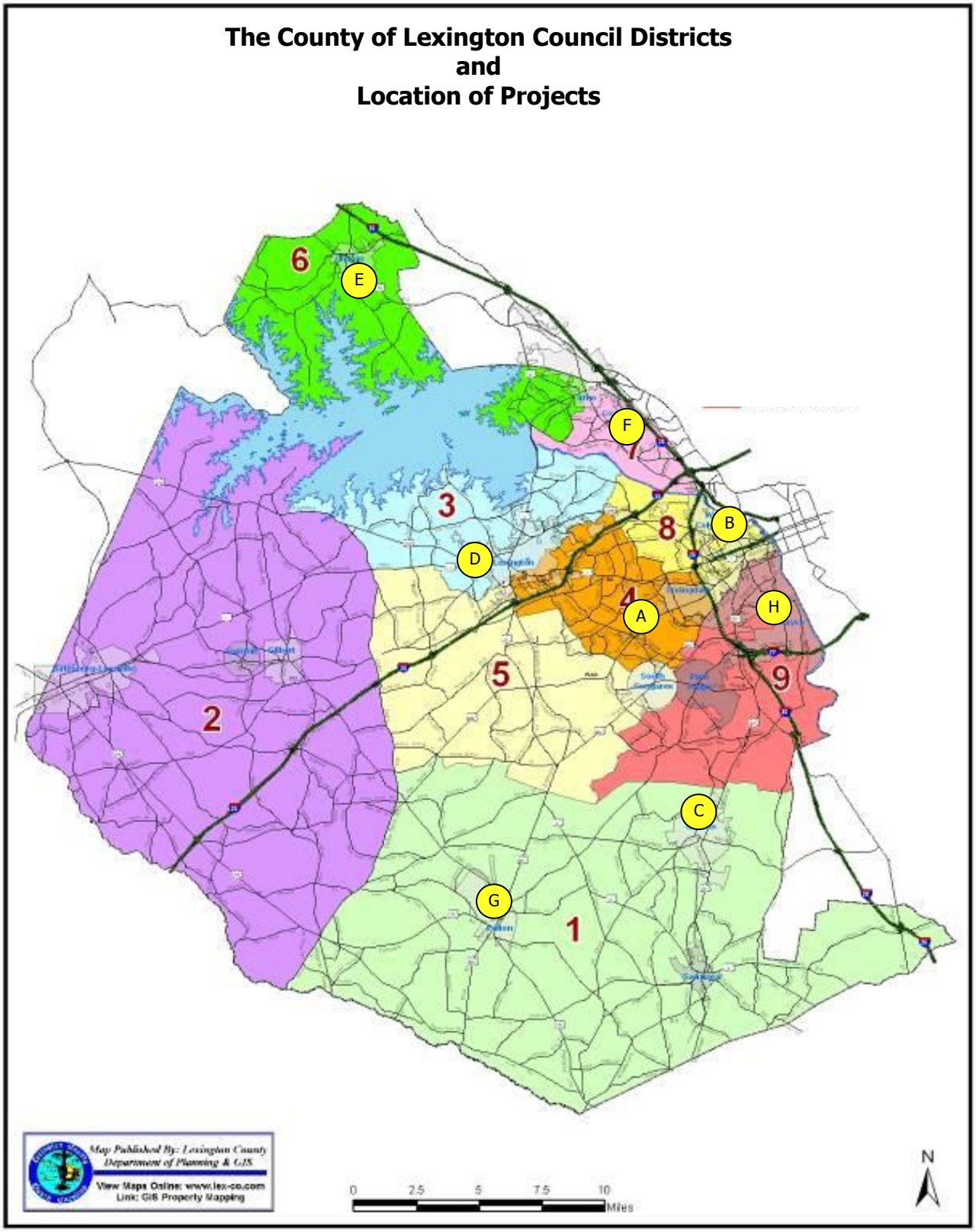
The County of Lexington Council Districts and Location of Projects



A. Three Fountains WAC Interior Improvements
B. BCCEC BLEC Senior Center Roof Replacement
C. Town of Gaston ADA Improvements
D. Duffie Street Sidewalk Upgrades
E. ICRC Afternoon Adventures
F. ICRC ADA Vehicle
G. Pelion Youth Summer Arts Program
H. Central SC Habitat for Humanity

NOTE: Some funded projects not shown may take place or address needs throughout the County.

HOMELESS AND SPECIAL NEEDS ACTIVITIES

The County regularly participates in the efforts of organizations addressing homelessness and special needs activities and provides technical assistance on the HUD programs as described in the Five-Year Consolidated Plan Homeless Needs Assessment. Community Development staff regularly attends Midlands Area Coalition for the Homeless (MACH) meetings and serve on the MACH Board.

MACH is a task force of the local homeless shelters and other special needs providers. They provide a forum for networking and sharing of information among the various organizations and agencies that address the unmet needs of the County's homeless and special needs populations.

The County was allocated $588,970 in Homelessness Prevention and Rapid Re-Housing Program (HPRP) funds from the U.S. Department of Housing and Urban Development (HUD) as authorized under Title XII of the American Recovery and Reinvestment Act (ARRA) of 2009. The purpose of the HPRP was to provide homelessness prevention assistance to households who would otherwise become homeless, many due to the economic crisis, and to provide assistance to rapidly re-house persons who are homeless.

Through a Request for Qualifications (RFQ) process, Lexington Interfaith Community Services (LICS) was selected to carryout HPRP eligible activities. LICS provided financial assistance through rental assistance, utility payments, moving costs, hotel vouchers, and housing relocation and stabilization services through case management, outreach, and housing placement. The County expended all of its HPRP funds and 436 persons and 166 households benefited from the Program.

The County of Lexington supports its homeless population as well as its abused and neglected women and children through providing CDBG and HOME dollars that support activities and programs at the Transitions Homeless Shelter Inc., and Sistercare Inc., a shelter for battered women and their children. In previous program years, the County has provided for the purchase of personal care items, linens, and kitchen items to the homeless facility. Additionally the County has purchased a transportation van, and provided much needed facility improvements to Sistercare's Lexington abuse shelter.

In addition, the Grant Programs Division staff meets quarterly with regional government representatives to address housing, homelessness, and other community development issues. These regional representatives include the City of Columbia, Richland County, United Way of the Midlands, and the Columbia Housing Authority.

This program year, FY 2014-15, will mark the first year the County of Lexington will award funding to the Irmo Chapin Recreation Commission (ICRC). The ICRC provides a variety of community services to youth groups and seniors. Additionally, they offer therapeutic recreation programs which are designed to assist and meet the needs of persons with disabilities in our community. They offer programs and activities for both children and adults with cognitive, physical, and emotional disability.

OTHER ACTIONS

Affirmatively Furthering Fair Housing

The County of Lexington will continue to fund multiple housing and other programs designed to affirmatively further fair housing and reduce barriers to affordable housing. These programs expand housing opportunities, eliminate substandard housing, provide homebuyer education services, and collaboratively work with financial lenders to enable low- and moderate-income families to purchase homes anywhere they choose. The *Lexington County Analysis of Impediments (AI) to Fair Housing* was updated in May of 2010. The AI identified multiple, often interrelated, areas of need. These impediment issues emerged from an extensive review of current policies and practices in the public and private sectors, interviews with key service providers, and an examination of socio-economic data. The following is a summary of those impediments:

Impediment 1: Need to Develop Substantive Fair Housing Initiatives

Impediment 2: Market Availability (continuing impediment)

Impediment 3: Need for Financial Education and Literacy in Homeownership and Rental Housing

Impediment 4: Potential Protected Class Discrimination in Homebuyer Lending Market

Impediment 5: Limited Public Transportation (continuing impediment)

Impediment 6: Steering and Blockbusting

Since its adoption, the County has continued to implement various actions aimed at the alleviation or removal of impediments and more importantly has undertaken actions to affirmatively further fair housing. During the 2014 Program Year, the County will implement several new Fair Housing Initiatives to address the above-listed impediments.

Expanding affordable housing opportunities is a long-term goal of the County. Achievement of this goal will be promoted during the program year through (1) outreach, training, and education of the community about fair housing rights, (2) the Homeownership Assistance Program, (3) Acquisition/Affordable Housing Program, (4) Comprehensive Housing Rehabilitation Program, and (5) the Minor Housing Repair Program.

Furthermore, the County will continue to expend CDBG and/or HOME administration funds to promote fair housing awareness, provide fair housing education, and participate in fair housing-related activities to affirmatively further fair housing in Lexington County. These efforts will include continued partnerships with the City of Columbia and Richland County on fair housing issues, and distribution of the County's fair housing brochures at events throughout the program year.

The County administers housing rehabilitation programs to help homeowners maintain the condition and integrity of their homes and improve the quality of the housing stock. The HOME Comprehensive Housing Rehabilitation Program will provide up to $20,000 to assist low- and

moderate-income homeowners with comprehensive repairs to address code violations. The CDBG Minor Housing Repair Program will provide up to $10,000 to assist low- and moderate-income homeowners to correct minor deficient conditions in their homes.

Obstacles to Meeting Underserved Needs

The following sections of the Five-Year Consolidated Plan provide a basis for identifying underserved needs and the obstacles to meeting those needs in The County of Lexington:

- Community Profile
- Housing Market Analysis
- Housing Needs Assessment
- Homeless Needs Assessment
- Non-Housing Community Development

The Strategic Plan and the proposed activities and projects to be undertaken as described in the Annual Action Plan are intended to help overcome these obstacles to the extent possible with available resources.

Foster and Maintain Affordable Housing

The County of Lexington will strive to address the needs for affordable housing as identified in the Five-Year Consolidated Plan. The strategies and objectives for addressing these needs are identified in the Strategic Plan. Through the HOME Program, the County will continue to explore new opportunities to provide affordable housing to LMI residents.

Remove Barriers to Affordable Housing

As described in the Five-Year Consolidated Plan, in considering the barriers to affordable housing, it is clear that a number of factors impact the availability of affordable housing including the availability and price of land, financing, and the rules, regulations and fees governing development and construction. While the private sector seeks to fill the demand for housing in terms of type, size, and value, the public sector impacts the process through policies including development regulation, zoning, building code enforcement, and provision of infrastructure and through the fees charged to implement those policies. Through on-going analysis and review of these factors and other related issues described in the Five-Year plan, The County of Lexington will continue to seek to remove these barriers to promote increased housing opportunities for LMI persons and households.

Lead-Based Paint Hazards

The federal Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of the Housing and Community Development Act of 1992), amended the Lead-Based Paint Poisoning Prevention Act of 1971, which is the basic law regarding lead-based paint in federally associated housing. The law and subsequent amendments issued by HUD protect young children from lead-based paint hazards in housing that is financially assisted or being sold by the Federal government.

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The regulation "Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance" was published in the Federal Register in September of 1999. The requirements apply to housing built before 1978, the year that lead-based paint was banned nationwide for consumer use. Emphasis is placed on the reduction of household dust, which may contain lead-based paint particles and requires testing after paint is disturbed to make sure that the home is lead-safe.

To the extent that lead-based paint hazards are addressed through the Comprehensive Housing Rehabilitation Program, the process the County follows includes:

- Contracting certified lead-based paint inspectors and risk assessors;
- Distributing information on lead-based paint hazards to all households that participate in any housing programs that purchase or rehabilitate homes built before 1978;
- Conducting lead-based paint inspections and assessments as necessary; and
- Implementing environmental control or abatement measures (lead-based paint and asbestos) as required by all federally funded projects.

Reduce the Number of Poverty Level Families (Anti-Poverty Strategy)

The Anti-Poverty Strategy for the Annual Action Plan is the same as that described in the Five-Year Strategic Plan.

Institutional Structure and Coordination of Resources

The institutional structure and coordination of resources for the Annual Action Plan is the same as that described in the Five-Year Strategic Plan.

Public Housing

The Cayce Housing Authority assists 40 households in four different housing communities in the City of Cayce and is the only public housing authority in The County of Lexington. The Section 8 Housing Voucher Program administered by the South Carolina State Housing Finance and Development Authority is the primary mechanism for public rental assistance for most County residents. The County of Lexington will continue to foster cooperation with these agencies and strive to identify new opportunities to address the County's public housing needs.

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MONITORING

The Grant Programs Division staff conducts on-going desk monitoring of its activities and of its subrecipients and CHDOs. This monitoring includes a review of reimbursement requests and monthly reports. Staff also conducts on-site monitoring of all subrecipients and CHDOs at least once during the term of each project. The on-site monitoring uses checklists to evaluate the compliance of the projects/activities with all aspects of the funding program. The following steps summarize monitoring policies and procedures:

- Review and analyze project budgets, national objectives, activity eligibility, and other application details to determine potential projects;
- Prepare a thorough and comprehensive subrecipient or CHDO agreement, appropriate for the type of entity/relationship, providing details of the project and requirements for compliance;
- Evaluate the environmental impact of project and implement required procedures;
- Review ongoing written status reports and other communications to monitor for adherence to timelines and compliance requirements;
- Visit development project sites before, during, and after construction;
- Monitor all subrecipient and CHDO projects at least once during the project to determine compliance with applicable laws, regulations and policies;
- Review and approve payment requests;
- Review subrecipient and CHDO monthly/quarterly reports on project status, expenditures-to-date, and timeliness;
- Prepare internal monthly reports of reimbursements detailing funds drawn on each active project and overall progress made to meet HUD timeliness requirements; and
- Analyze HUD IDIS reports monthly to reconcile balances and timeliness amounts.

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CERTIFICATIONS

I. General Certifications

In accordance with the applicable statutes and the regulations governing the Five-Year Consolidated Plan regulations, The County of Lexington certifies that:

A. Affirmatively Further Fair Housing

It will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

B. Anti-Displacement and Relocation Plan/Acquisition and Relocation

It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under Section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

C. Drug-Free Workplace

As a condition of employment, County employees must abide by the drug-free workplace policy. This policy is issued to all new employees during orientation. It is the policy of The County of Lexington to comply with the Drug-Free Workplace Act, to comply with other applicable government regulations, to establish and maintain a drug free workplace, and to prohibit the unauthorized or unlawful manufacture, distribution, dispensation, possession, and use of controlled substances on or off the job.

For these reasons, The County of Lexington adopts the following policy:

GENERAL RULE

All employees of The County of Lexington are prohibited from swallowing, inhaling, injecting, dealing in, or otherwise using illegal drugs and substances (such as marijuana, cocaine, LSD, heroin, etc.) and prescription drugs which are not prescribed for the employee's own use. This prohibition applies to use at any time, both on-the-job and off-the-job. County employees are, of course, permitted to possess any substance when required by their jobs or for the purpose of lawful delivery to another person.

APPLICANTS FOR EMPLOYMENT

The County will conduct pre-employment drug tests for all applicants tentatively selected for employment prior to the commencement of work. The County shall not hire any applicant tentatively selected for employment who refuses to submit to a drug test or who tests positive for

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use of illegal or unauthorized substances. An applicant who is rejected under this policy may be considered for future vacancies if he can demonstrate that he is no longer a user of any such substances. For example, the applicant may successfully complete a drug abuse treatment program and pass a more thorough drug test conducted at the applicant's expense.

CURRENT EMPLOYEES

A. All County employees will be subject to drug testing by urinalysis where "particularized suspicion" of drug use in violation of this policy exists or under other lawful conditions.

1. Particularized suspicion is deemed to exist when:
a. information that an employee has used illegal drugs or substances is provided by a reliable informant;
b. a serious accident* occurs due to the apparent/arguable fault of the employee as determined by the County;
(1) "Serious accident" is defined as:
(a) An accident involving a fatality;
(b) An accident causing bodily injury which requires medical care away from the scene of the accident;
(c) An accident resulting in aggregate property damage of $500 or more based on the County's reliable estimates; or
(d) an accident in which one or more motor vehicles incurs disabling damages as a result of the accident, requiring the towing of one or more of the vehicles from the scene by a tow truck or other vehicle.

* (The definition of "serious accident" in this policy exceeds the definition of "serious accident" that appears in the U.S. Department of Transportation Regulations. However, any DOT regulated driver who is involved in an accident resulting in a fatality must submit to drug and alcohol testing, regardless of whether the DOT regulated driver is arguably at fault.)

c. an employee exhibits any of the following:
(1) Extreme mood swings;
(2) Slurred speech;
(3) Unusual clumsiness;
(4) Staggering;
(5) Dilation of pupils;
(6) Sleeping on the job or lethargy;
(7) Excessive unexplained sweating; or
(8) Other aberrational behavior;
(a) An employee has been arrested for violation of drug laws;
(b) An employee has admitted violating the County's drug policy;
(c) An employee has tested positive previously for illegal drugs within the past 5 years.

2. Employees required by their jobs to possess a commercial driver's license must provide a specimen for testing within 32 hours following a serious accident.

3. Employees required by their jobs to possess a commercial driver's license must submit to a drug test whenever they are issued a citation in connection with a moving violation.

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4. Particularized suspicion testing shall not be conducted without the consent of the County Administrator or his designee, after consultation with the Human Resources Director.

5. Random testing for illegal or unauthorized drug use shall be conducted for employees deemed by the County to occupy "safety sensitive" positions. These positions include, but are not necessarily limited to: employees occupying positions which require the possession of a commercial driver's license, fire service personnel, emergency medical services personnel, and law enforcement personnel. A list of positions subject to random testing is available through the Human Resources Department.

TESTING PROCEDURE

A. Drug testing will be by urinalysis.
B. The collection of samples will be performed under reasonable and sanitary conditions.
C. Urine normally will be collected under conditions of semi-privacy--that is, a person of the same gender will be in a position to observe obvious attempts to substitute or adulterate a urine sample. Collection of the urine sample may be directly observed by a person of the same gender, however, where the person supervising the collection believes an employee has tampered with an earlier urine sample or the employee has previously admitted or been determined to have used drugs in violation of this rule.
D. All samples will be sealed, labeled, and documented in accordance with the procedure of the drug-testing laboratory. Labeling, storage and transportation of samples shall be performed so as reasonably to preclude the probability of erroneous identification, sample contamination, or sample adulteration.
E. Specimens will be checked for at least the following six substances:

1. Marijuana
2. Cocaine
3. Opiates
4. Amphetamines
5. Phencyclidine
6. Barbiturates - Tests conducted pursuant to Federal Department of Transportation (DOT) regulations will not screen for this substance. Tests conducted pursuant to authority independent of the DOT regulations may screen for this substance.

F. Applicants and employees will have an opportunity to provide any information which they consider relevant to the test, including identification of currently used prescription or non-prescription drugs, or other relevant information.

G. Samples which initially result in a positive finding for drug use will be re-tested by the gas chromatography/mass spectrometry (GCMS) method. If the GCMS test results in a positive finding of drug use, and if verified by the Medical Review Officer, the written report of the Medical Review Officer shall be conclusive for all employment-related purposes.

H. The County's Medical Review Officer normally will allow the employee whose drug test results have been confirmed as positive, the opportunity to justify the results before the Medical Review Officer notifies the County of the test results.

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NOTICE TO EMPLOYEES

The County shall attempt to distribute to all employees a copy of this policy. Additional copies are available upon request. By continuing to work, the employee agrees that he will abide by the policy as a condition of employment.

NOTICE TO EMPLOYER, STATE AND FEDERAL GRANTOR/CONTRACTING AGENCIES, AND LAW ENFORCEMENT AUTHORITIES

A. As a condition of employment, all employees agree to notify the County within five calendar days after any criminal conviction for the workplace manufacture, distribution, possession, or use of illegal drugs and prescription drugs not prescribed for the individual employees use. The County shall notify all state and federal grantors/contracting agencies of such employee convictions as required by the state and federal Drug Free Workplace Acts. "Conviction" means a finding of guilt, imposition of a sentence, a plea of no contest, or a plea of guilty.

B. The County shall notify law enforcement authorities whenever illegal drugs are found in the workplace.

CONSEQUENCES OF VIOLATING THIS POLICY

Violations of this policy as a result of a random drug test or particularized suspicion will result in discharge.

CONFIDENTIALITY

Any drug test results or information supplied by employees and applicants as part of the County's drug testing program will be kept as confidential as possible, consistent with the purpose of this policy.

TESTING COSTS

The County will pay the costs of all drug tests to which the County requires an employee to submit.

NOTIFICATION OF TEST RESULTS

A. Applicants will be notified of the results of a pre-employment drug test, provided the applicant requests the results within 60 days of being notified of the disposition of the employment application.

B. Employees will be notified of the results [including the drug(s) discovered] of all drug tests, provided the results are positive.

EMPLOYEE ASSISTANCE PROGRAM

Substance abuse assistance can be accessed through the National Drug Assistance Hotline: 1-800-HELP-111.

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NOT A CONTRACT

This policy creates neither a contract nor a property interest in employment.

LAW ENFORCEMENT PERSONNEL DRUG TESTING POLICY

The Sheriff's Department has a separate drug use and drug testing policy which has been communicated to those affected by the policy.

EMPLOYEE ALCOHOL USE AND ALCOHOL TESTING POLICY

The abuse and misuse of alcohol is a very serious problem which threatens our nation's collective health, safety, and welfare. The County is committed to maintaining a safe and productive work environment. Alcohol in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury and death. Furthermore, it is the policy of Lexington County to establish and maintain an alcohol free workplace, to comply with applicable government regulations, and to prohibit the unauthorized, improper, or unlawful use of alcohol on County premises or time.

For these reasons, The County of Lexington has implemented the following Alcohol Use and Alcohol Testing Policy.

GENERAL RULE

All employees of the County are prohibited from using or possessing alcoholic beverages on County premises or time. (The term "County premises or time" includes: County vehicles and private vehicles on County premises; parking lots and recreation areas; and any circumstances in which an employee is representing The County of Lexington. Employees are not prohibited, however, from having unopened containers of alcoholic beverages in their personal vehicles.) County Council or the County Administrator may approve moderate alcohol use at designated social/business functions.

Furthermore, all employees of the County are prohibited from reporting to or being at work while under the influence of alcohol. (An employee shall be considered to be "under the influence" of alcohol if he has any detectable amount of alcohol in his system.)

Finally, employees who are required by their jobs to possess a Commercial Driver's License are subject to the Federal Department of Transportation's Motor Carrier Safety Regulations and, more specifically, to 49 CFR Part 382, which addresses the misuse of alcohol among DOT regulated employees. These regulations prohibit the following:

* using alcohol within four hours of reporting for duty;

* reporting for work with an alcohol concentration of .02 or greater;

* using alcohol while on duty;

* using alcohol within eight (8) hours following an accident which requires an alcohol test or until a post-accident test is conducted, whichever occurs first;

* possessing alcohol while on duty;

* transporting alcohol in any DOT regulated vehicle (except when alcohol is manifested cargo).

CURRENT EMPLOYEES

a. All County employees will be subject to alcohol testing where "particularized suspicion" of alcohol use in violation of this policy exists.

1. Particularized suspicion is deemed to exist when:

a. information that an employee has used or possessed alcohol in violation of this policy is provided by a reliable informant;

b. a serious accident occurs due to the apparent fault of an employee. "Serious accident" is defined as:

1) an accident involving a fatality; 2) an accident causing bodily injury which requires medical care away from the scene of the accident; 3) an accident causing total aggregate property damage of $500 or more based on the County's reliable estimates; or 4) an accident involving one or more Commercial Motor Vehicles which results in one of the vehicles having to be towed from the scene by either a tow truck or other vehicle.

c. an employee exhibits behavior consistent with alcohol use such as but not limited to:

(1) Erratic behavior (mood swings, slurred speech, staggering, bloodshot eyes, sleeping on the job or lethargy, excessive unexplained sweating, etc.);
(2) The apparent odor of an alcoholic beverage on an employee's breath;
(3) other aberrational behavior including but not limited to, excessive absenteeism or tardiness, significant deterioration in job performance, repeated errors or rules violations, etc.

d. an employee has admitted violating the County's alcohol policy;
e. an employee is arrested for or convicted of an alcohol related offense; or
f. an employee has tested positive for alcohol in violation of this policy within the past five years.

2. Particularized suspicion testing shall not be conducted without the approval of the Administrator or his designee.

B. All employees occupying positions designated by the County as "safety sensitive" will be subject to random selection alcohol testing to determine compliance with this policy. A list of safety sensitive positions is available in the Human Resources Department. All Department of Transportation (DOT) regulated employees are subject to random selection testing pursuant to 49 CFR Part 382. (DOT regulated employees will be randomly tested at an annualized rate of at least 10% in accordance with 49 CFR Part 382). Random selection testing is unannounced.

C. If an employee refuses to submit to an alcohol test when directed to do so, the employee shall be terminated.

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TESTING PROCEDURE

A. Employees will have an opportunity to provide any information which they consider to be relevant to the test.

B. Alcohol tests will be conducted to determine if an employee has violated this policy.

C. The County shall use only DOT approved non-evidential screening devices and DOT approved Evidential Breath Testing (EBT) devices for alcohol testing pursuant to this policy.

D. A non-evidential screening device will normally be utilized to initially determine compliance with this policy. If the screening device indicates the presence of alcohol, or if the results of the screening device are deemed questionable by the County, then a confirmatory test will be conducted utilizing an EBT device.

E. The EBT confirmatory test will be conducted by an individual properly certified to use the equipment. (In situations involving DOT regulated employees, the EBT operator will be properly certified in accordance with applicable DOT regulations.)

F. A confirmatory test result generated through the use of an EBT which indicates the presence of alcohol in violation of this policy will be conclusive for purposes of this policy.

NOTICE TO EMPLOYEES

The County shall attempt to distribute to all present employees a copy of this policy. Additional copies of this policy are available upon request. By continuing to work, the employee agrees that he will abide by the policy as a condition of employment.

CONSEQUENCES OF VIOLATING THIS POLICY

Violations of this policy will result in discipline up to and including discharge.

A. The County shall terminate a probationary employee determined to be in violation of this policy.

B. The County shall impose discipline up to and including discharge for a non-probationary employee who violates this policy.
1. The County, in lieu of terminating an employee who has violated this policy, may suspend the employee and condition his continued or future employment upon the successful completion of an alcohol counseling/rehabilitation program.

2. If the County, after considering all of the relevant circumstances, allows an employee who has violated this policy to continue as a County employee, the County will do the following:

(a) Refer the employee to a Substance Abuse Professional (SAP) for assessment and require the employee to follow the SAP's prescribed program of counseling/treatment;
(b) Require the employee to authorize the Employee Assistance Program or other facility to report periodically to the County during the course of counseling/treatment;
(c) Retest the employee for alcohol use in violation of this policy before allowing the employee to return to duty;

(d) Place the employee on probation for at least six months following the employee's return to duty; and
(e) Require the employee to submit to unannounced follow-up alcohol testing for a period not to exceed five years. (The employee will be solely responsible for the total cost of all follow-up alcohol tests conducted pursuant to this policy.)

C. Should an employee whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program refuse or fail to participate in a single counseling or treatment session, the employee will be terminated.

D. An employee whose return-to-duty alcohol test indicates that the employee is in violation of this policy will be terminated.

COMING FORWARD WITH ALCOHOL ABUSE PROBLEMS

A. Employees who have alcohol abuse problems and report them to the County before being selected for testing, and before the occurrence of an event which normally would result in testing, normally will not be disciplined but will be subject to Section V(B)(2) of this policy.

B. If an employee admits to a violation of this policy or tests positive for use of alcohol in violation of this policy, but seeks counseling and remains an employee of the County, the employee will be discharged if he again either admits to a violation of this policy or tests positive for alcohol in violation of this policy.

CONFIDENTIALITY

Any alcohol test results or information supplied by employees as part of the County's alcohol testing program will be kept as confidential as possible, consistent with the purposes of this policy.

TESTING COSTS

The County will pay the costs of all alcohol tests to which the County requires an employee to submit. However, the employee will be solely responsible for the total cost of all follow-up alcohol tests conducted pursuant to Section V(B)(2) of this policy.

EMPLOYEE ASSISTANCE PROGRAM

In order to prevent the negative effects of alcohol abuse, the County has implemented the above policy and made available to its employees an Employee Assistance Program. The program provides employees with professional help for problems such as alcohol and drug abuse, emotional stress, money management difficulties and unpleasant family situations. For additional information and assistance, please contact the Human Resources Department or the National Drug and Alcohol Treatment Referral Hotline at 1-800-HELP-111.

D. Anti-Lobbying

To the best of The County of Lexington's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a

Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraphs 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

E. Authority of Jurisdiction

The Consolidated Plan is authorized under State and local law (as applicable) and Lexington County possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

F. Consistency with Plan

The housing activities to be undertaken with CDBG and HOME funds are consistent with the strategic plan.

G. Section 3

It will comply with Section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

_____ _____

Signature/Authorized Official **Date**
Joe G. Mergo, III
Lexington County Administrator

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II. Specific CDBG Certifications

The County of Lexington certifies that:

A. Citizen Participation

It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

B. Community Development Plan

Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low- and moderate-income.

C. Following a Plan

It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

D. Use of Funds

It has complied with the following criteria:

1. Maximum Feasible Priority: With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available;

2. Overall Benefit: The aggregate use of CDBG funds including Section 108 guaranteed loans during program year(s) **2012, 2013, 2014** (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low- and moderate-income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;

3. Special Assessments: It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low-and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

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The County of Lexington will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if The County of Lexington certifies that it lacks CDBG funds to cover the assessment.

_____ _____

Signature/Authorized Official **Date**
Joe G. Mergo, III
Lexington County Administrator

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III. Specific HOME Certifications

The County of Lexington certifies that:

A. Tenant-Based Rental Assistance

If it intends to provide tenant-based rental assistance that its use of HOME funds for tenant-based rental assistance is an essential element of the State's consolidated plan.

B. Eligible Activities and Costs

It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR § 92.205 through §92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in §92.214.

C. Appropriate Financial Assistance

Before committing any funds to a project, the County or its subrecipients will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing.

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Signature/Authorized Official **Date**
Joe G. Mergo, III
Lexington County Administrator

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IV. Compliance with Anti-Discrimination Laws

The grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and all implementing regulations.

V. Lead-Based Paint

Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, J, K and R;

VI. Compliance with Laws

It will comply with applicable laws.

_____ _____

Signature/Authorized Official **Date**
Joe G. Mergo, III
Lexington County Administrator

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