



BERKELEY
= COUNTY =
SOUTH CAROLINA

Citizen Participation Plan

Berkeley County, South Carolina

Grants Administration Department

Adopted September 2022

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Introduction

Each year, Berkeley County receives funding through the US Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) grant programs.

As a requirement for receiving these funds, the County must complete several planning and reporting reports to be submitted to HUD for approval. These reports include:

- 1) Five Year Consolidated Plan (ConPlan);
- 2) Analysis of Impediments to Fair Housing Choice (AI);
- 3) Annual Action Plan (AAP);
- 4) Consolidated Annual Performance Evaluation Report (CAPER);
- 5) Citizen Participation Plan; and
- 6) A Substantial Amendment to any of the above plans or reports (as defined below)

Citizen Participation must be an integral part of the planning process for the Consolidated Submission for all Community Planning and Development Programs (CPD). Much of the citizen participation process involves scheduling, publicizing and conducting public meetings and hearings. HUD, in its attempt to ensure adequate opportunity for participation by program beneficiaries, has prescribed minimum Citizen Participation, plan submission, performance reporting, and record maintenance requirements. These Citizen Participation Requirements are established in 24 Code of Federal Regulations (CFR) Part 91.105.

The CDBG and HOME programs are administered by the Grants Administration Department of Berkeley County. The local citizen participation process generally includes a yearly series of well-advertised community/neighborhood public meetings held at the County Administrative Building, to review the Annual Action Plan and the Consolidated Annual Performance Evaluation Report as well as any amendments or changes to the Consolidated Plan. All meetings and public hearings are advertised in accordance with applicable HUD, State and local regulations. Public notices for environmental procedures and project related purposes are also part of the citizen participation process.

Public Notice

To encourage low- and moderate-income persons to attend and participate, the annual community public meetings and public hearings are held in the early evening, Monday through Thursday at various public venues throughout the County. County staff also tries to avoid scheduling meetings on nights common with other major events which may require the participation of affected area residents and community leaders. Public hearings are typically conducted in the County Council Assembly Room in the Administrative Building, located at 1003 Highway 52, Moncks Corner, SC 29461, however public meetings (and in some instances public hearings) may also be held in public venues throughout the community like public libraries and community centers.

All public hearings shall be announced at least ten (10) calendar days before the date of the meeting. The County will utilize the following media to notify program beneficiaries regarding upcoming meetings.

- A. Newspaper advertisements, of no smaller than eight (8) point size, are published in adjudicated newspapers of general circulation serving the County in both English and Spanish. Each publication is published at least ten (10) calendar days before the date of the public hearing.
- B. Public Hearings are always advertised on Berkeley County's website.
- C. During declared emergency situations, such as pandemics or natural disasters, the requirement to publish the notice and summary in a newspaper of general circulation described above may be suspended. The County shall at a minimum publish public notices on the County's website and promote such advertisements on social media as available. Furthermore, a shorter time period for notification may be allowable by HUD waivers. The timelines adopted will be those established by HUD at the time.

Public Hearings & Public Meetings

At least two public hearings must be held each year. One of which must be held as part of the Consolidated Plan and/or Annual Action Plan and a second public hearing must be held to provide information related to the CAPER which details the County's performance towards meeting annual goals and objectives for the CDBG and HOME programs. Additional public meetings may be held at the discretion of County staff.

The public hearings will serve several purposes:

- 1) inform potential recipients of the functions of the Grants Administration Department and its relationship to both Berkeley County Council and HUD;
- 2) explain the rules and regulations governing the CDBG and HOME program;
- 3) explain how the program relates to the needs of individuals/neighborhoods/non-profit organizations, etc.;
- 4) provide information regarding the amount of CDBG and HOME funds expected to become available;
- 5) explain the types of eligible activities;
- 6) discuss the status of previously funded activities;
- 7) determine citizen's perceived housing and non-housing community development needs and possible activities to address those needs;
- 8) review of performance and compliance issues;
- 9) detail the County's plan to minimize displacement;
- 10) and receive comments, input and feedback related to each plan and/or report.

During declared emergency situations, such as pandemics or natural disasters, public meetings and hearings may be held in an online capacity as allowed by HUD. In this situation, the ability for public comment will be provided.

Publication of Plans & Reports

Berkeley County will publish, and make available to the public, the following plans and reports:

- 1) Five Year Consolidated Plan
- 2) Analysis of Impediments to Fair Housing Choice (AI)
- 3) Annual Action Plan
- 4) Consolidated Annual Performance Evaluation Report (CAPER)
- 5) Citizen Participation Plan (CPP)
- 6) A Substantial Amendment to any of the above plans or reports (as defined below)

The publication is made to afford citizens an opportunity to examine the documents' contents, and to provide further opportunity for comments (written and orally) and citizen feedback regarding the proposed document. A brief summary of each plan and/or report is to be published in newspapers of general circulation in both English and Spanish.

Additionally, all plans and reports, listed above, shall be made available, in their entirety, for further review in the following manner: 1) a PDF copy available on the County's website and 2) hard copies available for review at the County offices. Furthermore, copies of the proposed plan and/or report will be made available, free of charge, for individuals who request them.

A period of no less than thirty (30) days shall be made available for public review and comment for the Consolidated Plan, Annual Action Plan, and the Citizen Participation Plan. The County shall make the Consolidated Annual Performance and Evaluation Report and any Substantial Amendments to these Plans available for public comment for a minimum of fifteen (15) calendar days prior to finalization by County staff. The Analysis of Impediments to Fair Housing Choice does not require a public comment period.

During declared emergency situations, such as pandemics or natural disasters, the public comment period may be shortened, as described by HUD, to as little as five (5) days to accelerate the process. In these cases, public documents will be made available on Berkeley County's website only.

Amendments to Plans & Reports

In the event the County needs to make changes to the Consolidated Plan and the Annual Action Plan, the County must determine the nature of the required changes and in such cases where the changes are considered substantial, the County must produce what HUD refers to as a Substantial Amendment to the Consolidated Plan and/or Annual Action Plan.

The Substantial Amendment process will occur when the following program changes exist:

To the Consolidated Plan:

- 1) there is a change to the Priority Needs identified in the Strategic Plan;
- 2) there is a change to the Goals and Objectives identified in the Strategic Plan;
- 3) there is a change to the Target Geographies/Areas identified in the Strategic Plan; and
- 4) new entitlement grants are awarded to the County.

To the Annual Action Plan:

- 1) there is a change to the Annual Goals and Objectives identified in the Action Plan;
- 2) there is a change to the Target Geographies/Areas identified in the Action Plan
- 3) when a Project previously described in the Action Plan is canceled;
- 4) creation of a new Project not previously described in the Action Plan;
- 5) the funding allocated to an existing Project is adjusted by whichever is lesser: 20%, or more, or \$200,000 of the initial funding amount; and
- 6) revision to an existing project which changes the purpose, scope, location, or beneficiaries of the program.

All other changes will be considered revisions (non-substantial) and will be accomplished administratively by the County.

Prior to amending a Consolidated Plan and/or Annual Action Plan, the County will provide citizens with reasonable notice of, and opportunity to comment on, proposed program changes in its use of Action Plan funds for a project (either funded in whole or in part). This involves a 15-day review period. A summary of citizen comments or views and the reasons any such comments or views were not accepted will be attached to amendments of the Plan. The County will consider any such comments, and if the grantee deems appropriate, modify the changes.

Citizen Comments & Feedback

During all public meetings and hearings citizens are encouraged to comment or submit written comments/complaints to the Berkeley County, Grants Administration department concerning the proposed plans, reports and the performance of the Grants Administration department and/or other County departments and entities under contract with the County for the implementation of program related activities. All comments, written and oral, will be accepted and included as part of the citizen participation records for the associated plan and/or report.

Citizens may also provide written and oral comments at public hearings and written feedback via mail addressed to the following:

Berkeley County,
Grants Administration Department
Attention: Grants Specialist
PO Box 6122
Moncks Corner, SC 29461

The Grants Specialist may also be reached by telephone for oral comments and email comments at cecilia.anthony@berkeleycountysc.gov or by calling (843) 719-4766.

When responses are warranted, written comments/complaints regarding any facet of the CDBG or HOME program or its implementation in Berkeley County are answered in writing. Unless specific circumstances exist, which prevent immediate action, written replies are mailed within fifteen (15) working days, where practical, after receipt of the written comment/complaint (or oral comment/complaint if made during a public meeting/hearing).

Accessibility of Meetings & Documents

Bilingual Information

With at least one business day of advanced notice translation assistance will be provided at public meetings. Translation services will also be provided for persons who may need assistance reviewing printed documents, reports and/or other related materials. Citizens may contact the contact the County Human Resources Office at (843) 719-4163 at least 24 hours in advance to request such services.

American With Disabilities Act (ADA) - 1973 Rehabilitation Act

With at least one business day of advanced notice, the department shall provide assistance and special arrangements for those who are disabled in order to provide information and services concerning federally funded programs. Proposed plans are placed on the County website at <https://berkeleycountysc.gov/dept/finance/grants/>.

All visual aids used in the County council chambers are displayed on large screens to help all sighted people to see them better. All public meetings are held in buildings which are accessible to the handicapped. Citizens may contact the County Human Resources Office at (843) 719-4163 at least 24 hours in advance to request such services.

Additional Citizen Participation Activities

Consultation of Area Agencies

Under 24 CFR.91.100 (a)(1) as part of the Consolidated Plan process, the County shall consult with other public and private agencies that provide assisted housing, health services, and social services, including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, and homeless persons. The County shall also consult with community-based and regionally-based organizations that represent protected class members and organizations that enforce fair housing laws when preparing the Consolidated Plan including participants in Fair Housing organizations, nonprofit organizations that receive funding under the Fair Housing Initiative Program and other public and private fair housing service agencies, to the extent that such entities operate within the jurisdiction. Additionally, the consultation process will include consultation with regional government agencies in addition to adjacent units of general local government and local government agencies. This includes local government agencies with metropolitan-wide planning and transportation responsibilities, partially for problems and solutions that go beyond the County's jurisdiction.

Under 24 CFR.91.100 (c)(1) as part of the Consolidated Plan development process, the County shall also consult with public housing authorities (PHAs) operating within the jurisdiction. This consultation will continue to consider public housing needs, planned programs and activities under the Consolidated Plan as well as strategies for affirmatively furthering fair housing specifically to address any fair housing issues in the public housing and Housing Choice Voucher programs. The consultation process requires the County to address the needs of public housing and, where necessary, the manner in which it will provide financial or other assistance to a troubled PHA to improve the PHA's operations and remove the designation of troubled.

Public Access to Records

The Grants Administration department maintains copies of all plans, reports and amendments for each program year in the department office. Additionally, the department maintains a library of rules, regulations, and records required by HUD and Berkeley County. This library of records includes records related not only to the plans and reports but also all programmatic documents, meeting notes, written and oral comments received, environmental reviews, office publications, etc., produced since the inception of the CDBG and HOME program in Berkeley County. This information is available for public review and copying during normal business hours, provided that the requested document is public information pursuant to applicable federal, state, and local laws.

Public Access to Data Sources

As part of the Consolidated Plan and the Analysis of Impediments to Fair Housing Choice, the County will utilize HUD provided data sets and mapping tools. When applicable, the County will reference these data sets in plans and reports as well as provide a link to such data sources within the draft documents. This shall provide citizens and community stakeholders the opportunity to review the data utilized to set priority needs, goals and objectives.

Residents of Public and Assisted Housing

Residents of public and assisted housing are stake holders with HUD in that they receive rental assistance from HUD. These residents are therefore encouraged to participate in the planning and execution of the CDBG and HOME programs, because they are also eligible to benefit from the expenditure of HUD federal funds.

Environmental Review

In certain instances, the participation consists of publication of specific actions/findings, including a description of the project, its locations, submission of relevant data to applicable local, state and federal agencies for review and comment, and the Grants Specialist's approval of federal environmental findings relating to the Request for Release of funds from HUD.

Miscellaneous and Informal Meetings

County staff attends and/or conducts miscellaneous meetings and hearings throughout the program year. While many of these meetings are project specific, many others are held at the request of individuals, groups, other County departments or County Council members for the purpose of disseminating or receiving information about the CDBG and HOME program in general, or about issues of specific interest. These meetings generally are not advertised, since the meeting is attended by the parties requesting the meeting, Grants Administration staff and various other invited participants.

The Grants Administration department maintains an Initial Contact/Proposed Project file and Citizen Comment/Complaint file. These mechanisms allow the Grants Administration department to record correspondence with individuals and/or organizations that submit proposals or make comments or requests of the department during the program year. Requests, proposals and questions received during the program year are researched and discussed during applicable local public meetings and during the planning of subsequent programs. This information is on file in the Grants Administration department office and is processed at a time appropriate to the nature of the specific contact.

Technical Assistance

Pursuant to the Housing and Community Development Act of 1974 (as amended) and its implementing federal regulations, the County's Grants Administration department shall provide technical assistance when requested by public and private agencies, non-profit public benefit organizations and individuals for the purpose of assisting the agency or individual in developing its proposal for consideration of Consolidated Plan funding, provided the proposal is eligible and qualifies per HUD regulations. Technical assistance shall include but not be limited to:

- A. Assisting in better defining the proposal by outlining specific information the applicant(s) should gather and include in their proposal.

- B. Referring applicant to other public and private agencies which may help gather or provide needed information and/or technical assistance.
- C. Developing preliminary cost estimates for the proposal.
- D. Preparing very basic conceptual descriptions and/or drawing of the proposal.
- E. Providing for final review of the proposal for completeness prior to its official submission to the Grants Administration department for consideration for funding.

In addition to the technical assistance for development of proposals, the Grants Administration department will continue providing assistance for implementation; and administration and monitoring of CDBG and HOME funded projects. This assistance includes such things as:

- A. Obtaining environmental clearance for projects.
- B. In certain instances (depending on staff work load), implementing activities on behalf of the subrecipient.
- C. Providing guidance in the solicitation and contracting process for hiring a consultant to insure compliance with applicable local, state and federal regulations.
- D. Assisting in reviewing and monitoring consultant's work.
- E. Providing guidance in bid advertisement for construction to insure compliance with all applicable requirements.
- F. Assisting in monitoring contractors and subcontractors during and after construction for compliance with HUD regulations.
- G. Acting as mediator in disputes between subrecipient and contractor.
- H. Providing CDBG and HOME application workshops for non-profit organizations.

Plans to Minimize Displacement of Persons and to Assist any Persons Displaced

Berkeley County, in accordance with the Uniform relocation Assistance and real Property Acquisition Policies Act of 1970, the 1988 Common Rule, and the 1989 Barney Frank Act, will provide relocation assistance, as described in 24 CFR 570.606(b)(2), to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the Act, Berkeley County will include, but not be limited to, the following steps to minimize the displacement of persons from their homes:

1. Avoid, as much as possible, Action Plan funded projects which permanently displace persons from their homes.
2. Fully advise any residents who may be displaced of their rights and options for relocation benefits as required by federal regulations.
3. Assist displaced residents in filling out any required forms for assistance or to appeal County decisions regarding displacement or the level of relocation benefits.

Complaints

Citizens wishing to submit a complaint regarding any portion of the citizen participation process and/or development of the CDBG and HOME application, Consolidated Plan, Performance Report or amendment to the Consolidated Plan, may do so according to the following procedure:

1. Formal complaints should be submitted in writing to:

Berkeley County,
Grants Administration Department
Attn: Grants Specialist
PO Box 6122
Moncks Corner, SC 29461

The Grants Specialist will refer the complaint to the appropriate County staff member for written response regarding the complaint. The written response will be mailed within fifteen business days of the receipt of the complaint.

2. If the complainant is not satisfied with the Grant Administration department's response, a written complaint may be submitted to the HUD Regional Office at:

Angela Hall
U.S. Department of Housing and Urban Development
Columbia Field Office
1835 Assembly Street, Floor 13
Columbia, South Carolina 29201