



Gordon County
Government

Annette Berry <aberry@gordoncounty.org>

Fwd: CDBG documents for signing

1 message

Suzanne Hutchinson <shutchinson@gordoncounty.org>

Fri, Jan 31, 2014 at 3:35 PM

To: Annette Berry <aberry@gordoncounty.org>

Please see attached email from Dave. Please review the documents for signing. I told him that we can have these signed on Tuesday. Thanks - Suzanne

----- Forwarded message -----

From: **Dave Ronningen** <dronn@comcast.net>

Date: Thu, Jan 30, 2014 at 4:19 PM

Subject: CDBG documents for signing

To: Suzanne Hutchinson <shutchinson@gordoncounty.org>

Suzanne,

Attached are three documents we need signed for the CDBG project.

1. Certificate of Continued Use. *This certifies that the building will be used for the an eligible use (serving low/moderate income people) for the life of the building or the grant will have to be repaid on a pro-rated basis after 5 years. This for DCA's protection of the funds. It has always been done for the construction of a building.*
2. Certificate of Compliance. *This is to certify that the project is in compliance with the Service Delivery Strategy (which ensures there is no duplication of services with other entities such as the City of Calhoun) and the Comprehensive Plan. It's not address as a work item in the Plan so it really is not in non-compliance. It would have helped if part of the stated goals in the Plan had mentioned improvements at the Center, but we'll go with what we've got.*
3. DCA-10 form – *This form is one of several in the application and is the same for all applications. It is made up of a list of certifications the County must agree to and is always part of any CDBG application. It must be signed by the chairperson and witnessed by the clerk. Also, please remember to have Anne affix the County seal*

As we get information for other forms, I will be sending those as well. Is there a place you can leave these as they're signed so I can pick them up? Perhaps with Francis or a box somewhere.

Dave

David Ronningen

P.O. Box 2143

Carrollton, GA 30112

770-783-9724 off/fax

770-380-5621 cell

CERTIFICATION OF CONTINUED USE

I, Rebecca Hood, chief elected official of Gordon County, hereby certify that the George Chambers Resource Center, which is to undergo improvements as proposed in our FY-14 Community Development Block Grant application, is owned by Gordon County and will be used for approved activities through its depreciable life should funding be successful.

The Georgia Department of Community Affairs (DCA) shall be duly notified if a change of use is being considered. It is understood a public hearing will be held to provide affected citizens an opportunity to comment on the proposed change.

It is also understood that repayment of the grant funds shall be made if the facility is converted to an ineligible use as determined by DCA. Repayment, should it become necessary, shall be based on a 20-year, straight-line depreciation method. The exception being, that if conversion to an ineligible use occurs within the first five years following the closeout of the grant by DCA, repayment equal to 100 percent of the grant amount shall be made.

Gordon County understands that violation of this agreement and failure to respond to a DCA finding with regard to an inappropriate change of use of the facility will be sanctioned and face penalties up to and including loss of CDBG eligibility.

So certified this _____ day of _____, 2014.

Rebecca Hood, Chairperson
Gordon County Board of Commissioners

ATTEST:

Witness

Notary Public

Certification of Compliance

On behalf of the Gordon County Board of Commissioners I, Rebecca Hood, hereby certify that the George Chambers Resource Center Project, as proposed in our FY-14 Community Development Block Grant application, is not addressed in our Joint Comprehensive Plan and Service Delivery Strategy and is therefore not in violation of our stated goals and activities.

So certified this _____ day of _____, 2014 by:

Rebecca Hood, Chairperson
Gordon County Board of Commissioners

Attested:

Witness (printed or typed name and signature)

Notary public

DCA Applicant Form 10

Georgia Department Of Community Affairs CDBG Program Certified Assurances

This Certified Assurances form must be completed and signed by the Applicant's Certifying Representative. It must be included in the Application submission.

ASSURANCES

The Applicant hereby certifies and assures that:

1. (a) It possesses legal authority to apply for the grant, and to execute the proposed program.

(b) Its governing body has duly adopted or passed as an official act, a resolution, motion, or similar action, authorizing the filing of an application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application, and to provide such additional information as may be required. Evidence of this action by its governing body must be included in this application.
2. It has provided citizens an adequate opportunity to participate in the development of the application by:
 - (a) holding at least one public hearing in the locality before submission of the application. The previous CDBG program's activities were discussed, and public input into the development of the subject application was obtained at the public hearing; information was provided on the estimated amount of funds proposed to be used for activities benefiting low and moderate income persons, and plans to minimize displacement as a result of activities and plans to assist displaced persons were discussed;
 - (b) maintaining files that contain documentary evidence that the hearing was held. The evidence includes a copy of the actual notice of public hearing.
 - (c) the citizen participation process meets the requirements of the Georgia DCA Citizen Participation Plan as outlined in the DCA, CDBG regulations.
3. Its chief executive officer, or other officer of applicant approved by DCA:
 - (a) Consents to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969 (NEPA), and other provisions of Federal law, as specified in 24 CFR Part 58 and 40 CFR Part 1500-1508, which further the purposes of NEPA insofar as the provisions of such Federal law apply to this Part:
 - (b) Is authorized and consents on behalf of the applicant and himself to accept the jurisdiction of the Federal courts for the purpose of enforcement of his responsibilities as such an official.
4. (a) The Community Development Program has been developed so as to give maximum feasible priority to activities which will benefit low and moderate income families, or aid in the prevention or elimination of slums or blight

OR

(b) The Community Development Program has been 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 where other financial resources are not available to meet such needs.

5. The applicant further certifies and assures that:

(a) If the proposed application is funded, it will comply with all applicable laws and regulations as prescribed in Program Regulations for the Georgia CDBG program, effective March 24, 1982, as amended.

(b) It understands that certain laws may be applicable, though not specifically listed in the Georgia CDBG Program Regulations, by virtue of being applicable under their own terms, such as the Hatch Act (U.S.C. Section 1501, et. seq.) which limits the political activities of the employees funded through receipt of Federal assistance.

(c) If the proposed application is funded, it assures and will comply with Section 504 of the Rehabilitation Act of 1973 and the HUD implementing regulations (24 CFR Part 8), Title I of the Housing and Community Development Act of 1974, as amended, Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, the Fair Housing Act (42 USC 3601-20), Executive Orders 11246 and 11063, and Section 3 of the Housing and Urban Development Act of 1968 and will administer and conduct its program in conformance with them. Also, that it will affirmatively further fair housing.

(d) The applicant has prepared a plan to minimize displacement as a result of activities assisted with CDBG funds and to assist persons actually displaced as a result of such activities.

(e) It will not attempt to recover any capital costs of public improvement assisted in whole or part with CDBG funds by assessing any amount against properties owned or occupied by persons of low/mod income including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless

i. CDBG funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than CDBG; or

ii. For purposes of assessing any amount against properties owned and occupied by persons of low/mod income who are not persons of very low income, unless the Recipient certifies that it lacks sufficient CDBG funds to comply with the requirements of paragraph i.

(f) At least 70% of each CDBG activity cost will benefit low/mod income persons. Low/mod income persons are defined as persons whose family income does not exceed 80% of the median family income for the County or metropolitan area in which they reside, adjusted for family size, as established by HUD.

(g) It will provide reasonable benefits to those persons involuntarily displaced as a result of CDBG assistance to acquire or rehabilitate property.

6. Except for approved eligible administrative or personnel costs, *no person who is an elected or appointed official, employee, agent, consultant, officer or any person serving in a similar capacity with any participating public agency or sub-recipient, who exercise or have exercised any functions or responsibilities with respect to the CDBG activities proposed herein, or who are in a position to participate in a decision making process or gain inside information regarding CDBG proposed activities or related activities, may obtain a personal or financial interest or benefit from the project, or have any interest in any contract, sub contract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.* (The Applicant is instructed to follow State law and review Federal requirements contained in Appendix F, and to consult with its local attorney and/or DCA, as appropriate to guard against prohibited conflicts of interest.)

For any situation that is or may appear to be a conflict of interest under the assurance, a complete description and explanation must be attached.

7. To the best of his or her knowledge and behalf:

a. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, 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 loan or grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. 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, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instruction.

c. The undersigned shall require that the language of this certification is 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.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a penalty of not less than \$10,000 and not more than \$100,000 for each failure.

8. It will comply with the requirements of Section 104(d) of the Housing and Community Development Act of 1974, as amended, and HUD implementing regulations (24 CFR Part 570.496a), including the following Residential Antidisplacement and Relocation Assistance Plan. If an award of funds is made, the Recipient will make public its plan providing for one-for-one replacement units and relocation assistance, and the steps it will take to minimize displacement of persons as a result of assisted activities.

Residential Antidisplacement and Relocation Assistance Plan:

a) The local government recipient of CDBG funds will replace all occupied and vacant occupiable low and moderate income dwelling units demolished or converted to use other than as low and moderate income housing in connection with an activity assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described at 24 CFR Part 570.496a(c).

b) All replacement housing will be provided within three years after the commencement of the demolition or conversion. Before entering into a contract committing the Recipient local government to provide funds for an activity that will directly result in such demolition or conversion, the Recipient local government will make public and submit to the Department of Community Affairs the following information in writing:

i) A description of the proposed assisted activity;

ii) The location on a map and the number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate income dwellings units as a direct result of the assisted activity;

iii) A time schedule for the commencement and completion of the demolition or conversion;

iv) The location on a map and the number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;

v) The source of funding and a time schedule for the provision of replacement dwelling units;

vi) The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy.

vii) Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units) is consistent with the housing needs of lower income households in the jurisdiction.

c) The Recipient local government is responsible for tracking the replacement of housing and ensuring that it is provided within the required period.

d) The Recipient local government is responsible for ensuring requirements are met for notification and provision of relocation assistance, as described in 24 CFR Part 570.496a(c)(2), to any lower income person displaced by the demolition of any dwelling unit or the conversion of a low and moderate income dwelling unit to another use in connection with an assisted activity.

e) Consistent with goals and objectives of activities assisted under the Act, Recipient will take the additional steps, if any, listed on an attachment to these Assurances, to minimize the displacement of persons from their homes.

9. If a grant is awarded, the applicant will adopt and enforce a policy of prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

10. If a grant of HOME Investment Partnership Act (42 U.S.C. 12701 et seq.) funds is awarded, the applicant further agrees to become a State Recipient (SR) for purposes of the CHIP program and to assume all responsibilities of HUD regulations at 24 CFR Part 92 (as now in effect and as may be amended from time to time) except those responsibilities which DCA determines will not be transferred to the State Recipient for reasons deemed to be practical, feasible, or legally sound.

CERTIFICATION:

The undersigned certifies on behalf of the Applicant that he/she has been authorized to sign this certification, the information presented in this application is correct, and that the applicant will comply with the assurances listed above.

Submitted on behalf of the Applicant by:

By _____ (Date) _____
(Signature of chief elected official)
Rebecca Hood, Commission Chairwoman

(Typed or printed name and title of chief elected official)

Attest:

By _____ (Date) _____
(Signature of clerk or other authorized official)
Annette Berry, County Clerk

(Typed or printed name and title)

(seal)