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**Clinton County, Pennsylvania
Community Development Block Grant Program**

SECTION 3 ACTION PLAN

Policy Statement

It is the public policy of the Clinton County Commissioners to promote the opportunity for full participation by low- and very low- income persons, and to business concerns which provide economic opportunities to low- and very low-income persons, in its Community Development Block Grant (CDBG), HOME, and Emergency Shelter Grant (ESG) Programs.

Clinton County has developed a Section 3 Action Plan to identify the goals, objectives, and actions that will be implemented to ensure compliance with the requirements of Section 3. Clinton County's intent is to develop this plan to include input from various municipal departments, as well as DCED. When it is applicable, input from other agencies and companies will be included in this plan.

Section 3 Numerical Goals

Clinton County must comply with the following Commonwealth of Pennsylvania Section 3 numerical goals as mandated by 24 CFR 135.30);

Employment & Training

It is Clinton County's policy to utilize residents and other Section 3 eligible persons and businesses in contracts partially or wholly funded with monies from the Department of Housing and Urban Development (HUD). Clinton County has established employment and training goals that contractors and subcontractors should meet in order to comply with Section 3 requirements.

Our **Employment** numerical goal is thirty percent (30%) of the aggregate number of new hires in any fiscal year.

Our **Contracting** goals:

We may demonstrate compliance with this requirement by committing to award to Section 3 businesses at least:

- Ten percent (10%) of the total dollar amount of all Section 3 covered contracts in connection with housing rehabilitation, housing construction and other public construction.
- Ten percent (10%) of the total project cost of Section 3 covered projects in any fiscal year in connection with housing rehabilitation, housing construction and other public construction.

It is the responsibility of contractors, vendors and suppliers to implement progressive efforts to attain Section 3 compliance. Any contractor who does not meet the Section 3 numerical goals must demonstrate why meeting the goals was not feasible. All contractors submitting bids or proposals to the CDBG program are required to certify that they comply with the requirements of Section 3.

The Section 3 Contract Clause specifies the requirements for contractors hired for Section 3 covered projects. The Section 3 Clause must be included in all Section 3 Covered contracts. The Section 3 Contract Clause is included in **Exhibit 3**.

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Section 3 Program Participant Certification Procedure

The Section 3 Compliance Officer, Katie de Silva, will certify Section 3 program participants who reside within the borders of Clinton County and who are seeking preference in training and employment by completing and attaching adequate proof of Section 3 eligibility, as required. **(Exhibit 3)**

- All persons living in the community who meet the Section 3 eligibility guidelines can, by appointment, visit with the Section 3 Compliance Officer to complete a job readiness assessment.
- Once this assessment is complete, the Section 3 Compliance Officer will determine if the individual meets the eligibility requirements and is job ready.
- If the individual is deemed eligible for Section 3 participation and deemed not ready for employment, a referral will be made to other agencies that are better equipped to address the individual's needs, i.e., substance abuse providers, etc.
- The Section 3 job readiness component is a part of Clinton County's commitment to provide economic opportunities and training to residents/eligible participants to become gainfully employed.

Assisting Contractors to Achieve Section 3 Hiring and Contracting Goals

Clinton County will assist contractors with little or no experience in achieving Section 3 hiring and contracting goals by:

- Requiring the contractor to present a list, to the Section 3 Compliance Officer, of the number of subcontracting and/or employment opportunities expected to be generated from the initial contract.
- Kate de Silva, Section 3 Compliance Officer will provide the contractor with a list of interested and qualified Section 3 residents for construction projects.
- Kate de Silva, Section 3 Compliance Officer will provide contractor with a list of Section 3 business concerns interested and qualified for construction projects.
- Kate de Silva, Section 3 Compliance Officer will inform contractor of known issues that might affect Section 3 residents from performing job related duties.
- Kate de Silva, Section 3 Compliance Officer will review the new hire clause with contractors and subcontractors to ensure that the requirement is understood. It is not intended for contractors and subcontractors to terminate existing employees, but to make every effort feasible to employ Section 3 program participants before any other person, when hiring additional employees needed to complete proposed work to be performed with HUD (federal) funds.

Preference for Contracting with Section 3 Business Concerns

In compliance with Section 3 regulations, Clinton County will require contractors and subcontractors (including professional service contractors) to direct their efforts towards contracts to Section 3 business concerns.

- Contractors and subcontractors are expected to extend to the greatest extent feasible, efforts to achieve the numerical goals established by the county.
- Contracts must document that qualified Section 3 Business Concerns have been sought to fulfill subcontracts utilizing certification for business concerns seeking Section 3 preference in contracting and demonstration of capability (see **Exhibit 1**).

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- Contractors must submit Section 3 Contractor Solicitation and Commitment Statements with their bids (see **Exhibit 5**).

Evidence of Section 3 Certification

Any business seeking Section 3 preference in the awarding of contracts or purchase agreements with Clinton County shall complete the form “Certification for Business Concerns Seeking Section 3 Preference in Contracting and Demonstration of Capability,” which can be obtained from Kate de Silva, the Section 3 Compliance Officer. The business seeking Section 3 preference must be able to provide adequate documentation as evidence of eligibility for preference under the Section 3 Program.

Certifications for Section 3 preference for business concerns must be submitted to the Section 3 Compliance Officer prior to the submission of bids for approval. If the Section 3 Compliance Officer previously approved the business concern to be Section 3 certified, then the prior certification can be submitted along with the bid.

Efforts to Award Contract Opportunities to Section 3 Business Concerns

Clinton County uses the following methods to notify and contract with Section 3 business concerns when contracting opportunities exist.

- Advertise contracting opportunities via newspaper, mailings, or posting notices that provide general information about the work to be contracted and where to obtain additional information.
- Provide written notice of contracting opportunities to all known Section 3 business concerns. The written notice will be provided in sufficient time to enable business concerns the opportunity to respond to the bid invitation.
- Coordinate pre-bid meetings at which the Section 3 business concerns would be informed of upcoming contracting opportunities in advance.
- Conduct workshops on county contracting procedures to include bonding, insurance, and other pertinent requirements, in a timely manner in an effort to allow Section 3 business concerns the opportunity to take advantage of any upcoming contracting opportunities.
- Contact the Clinton County Housing Authority, Clinton County Economic Partnership, STEP, Inc., state Minority and Women’s Business Enterprise (MBE/WBE) contractor associations, and community organizations to inform them of contracting opportunities and to request their assistance in identifying Section 3 businesses.
- Establish relationships with the Small Business Administration (SBA), Minority and Women’s Business Enterprise MBE/WBE association, Community Development Corporations, and other sources as necessary to identify programs for educating and mentoring residents with a desire to start their own businesses.
- Seek out referral sources in order to ensure job readiness for public housing residents through on-the-job-training (OJT) and mentoring to obtain necessary skills that will transfer into the external labor market. In particular, Clinton County supports the 2013 YouthBuild application of the Clinton/Lycoming action agency, STEP, Inc. If successful, STEP’s YouthBuild project will provide construction training and education to unemployed youths, and serve as a feeder program for Clinton County Section 3 contractors.
- Develop relationships with area business development programs, to enable referral of residents interested in starting their own businesses to learn to prepare contracts, prepare taxes, obtain licenses, bonding, and insurance.

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Section 3 Residents Recruitment, Training, and Employment Goals

Clinton County has identified partner organizations which have the resources to provide training and employment opportunities to Section 3 program participants. They are STEP, Inc., (the regional community action agency, the Lock Haven Pennsylvania Careerlink Office, the Clinton County Housing Authority, the Clinton County Housing Coalition, the Clinton County Women's Center, and the Central Pennsylvania Workforce Development Center.

These agencies routinely notify residents of their available career development trainings and employment opportunities. Clinton County will advertise CDBG contract opportunities by posting job vacancies in common areas of all of the above agencies and neighborhood community organizations.

- A database will be developed of certified Section 3 businesses.
- A database will be developed of eligible qualified Section 3 Business concerns to contact with respect to the availability of contract opportunities.
- Clinton County has offered its support of, and participation in, STEP, Inc.'s application to YouthBuild, which will develop a relationship with local area employers in an effort to solicit job vacancies to determine skills needed in their workforce, and match YouthBuild participants to their needs. When CDBG contract work is available, contractors will be instructed to notify YouthBuild staff of their workforce needs.
- A provision for a specific number of Section 3 program participants to be trained or employed by the contractor (as a goal) will be incorporated into the county's standard CDBG Section 3 contract language.

Employment of Section 3 Program Participants

The Section 3 Compliance Officer will hold a meeting with all residents prior to their being hired by a contractor.

The meeting will assess job readiness (i.e., childcare, transportation, work maturity, job retention skills). Only residents meeting the minimum qualifications of the contractor or subcontractor will be referred to the job site. Residents not deemed job ready would be referred elsewhere. It is imperative that the resident's basic needs are met prior to employment.

If a resident is referred to a contractor and does not perform satisfactorily due to poor work habits (i.e., tardiness, absenteeism, alcohol/drugs, abusive language, fighting, etc.), she/he will be allowed two additional opportunities to be referred to other contractors. If after that time the resident still does not perform satisfactorily, it will be mandatory that she/he attend and complete a job readiness class, alcohol/drug treatment center, or any other program that he or she may be required to attend. After successful completion the resident will be given the opportunity to be reinstated on the list of residents available for work.

Residents experiencing problems with contractors should first communicate the problem to the employer. If the problem cannot be solved between the employee and employer, the Section 3 Compliance Officer will meet with the parties involved to assist in trying to resolve the problem. Residents and employers (contractors or subcontractors) should document problems whenever they occur and record any and all efforts to correct them. The written documentation of the problem should be submitted to the Section 3 Compliance Officer.

In order to qualify for employment with contractors, residents must be certified as Section 3 covered residents, and be at least eighteen years of age.

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Through the efforts of our aforementioned program partners, Section 3 residents not interested in construction employment opportunities will be assessed for other skills (clerical, administrative, etc.) and will have the opportunity to receive help with interviewing techniques, mock interviews, resume preparation, application assistance, employment leads, and how to dress for success when conducting a job search.

Residents interested in pursuing General Equivalency Diploma (GED) and continued training education will be referred to STEP and in particular, the YouthBuild Program, by the Section 3 Compliance Officer.

Contractor's Requirements in Employing Section 3 Participants

Under the Clinton County CDBG Section 3 Program, contractors and subcontractors are required to:

- Provide employment opportunities to Section 3 residents
- Document efforts that will be utilized to seek Section 3 participants. (See **Exhibit 2**)
- After the award of contracts, the contractor must, prior to beginning work, inform Section 3 participants of the following:
 - The location and scope of the work
 - Names of the Section 3 business concerns to be utilized,
 - Estimates of the number of employees to be utilized for contract,
 - Projected number of available positions, to include job descriptions and wage rates (construction wages consistent with Davis Bacon)
- Notify the Section 3 Compliance Officer of their interests regarding employment of Section 3 participants prior to hiring. The Section 3 Compliance Officer will ensure that the participant is Section 3 eligible, by assessing the Section 3 database to ensure job readiness. Additionally, the legal department will be contacted to ensure that the individuals are not involved in any legal proceedings against/with the County.
- Submit a list of core employees (including administrative, clerical, planning and other positions pertinent to the construction trades) at the time of contact award.
- Document the performance of Section 3 participants (positive and negative) regarding punctuality, attendance, etc., and provide this information to the Section 3 Compliance Officer.
- Immediately notify the Section 3 Compliance Officer of any problems experienced due to the employment of Section 3 participants.
- Immediately notify the Section 3 Compliance Officer if a participant quits, walks off, or is terminated for any reason. The contractor must provide written documentation of all such incidents to support such decisions to the Section 3 Compliance Officer to determine if an investigation is warranted.

FOUR-FACTOR ANALYSIS AND LEP PLAN FOR LIMITED ENGLISH PROFICIENCY PERSONS

Purpose: In compliance with Executive Order 13166, Clinton County has developed the following Language Access Plan (LAP) for Limited English Proficiency (LEP) Persons.

History: Title VI of the Civil Rights Act of 1964 is the federal law which protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who have limited English proficiency can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination.

Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter.

Clinton County Four-Factor Analysis

The following Four-Factor Analysis will serve as the guide for determining which language assistance measures Clinton County will undertake to guarantee access to its Community Development Block Grant (CDBG) programs by LEP persons.

1. *Number or proportion of LEP persons served or encountered in the eligible service population* (served or encountered includes those persons who would be served by the recipient if the person received education and outreach and the recipient provided sufficient language services).

To determine the LEP population for its FY 2014 CDBG application, Clinton County utilized three methods to determine the affected LEP population.

- a. For our Countywide average, we utilized The 2007-2011 American Community Survey 5-Year Estimates, Table 4, Language Spoken at Home, located at <http://goo.gl/kAWgg>. The ACS found that **98.3%** of Clinton County residents "speak English very well." On a Countywide basis, we do not meet the 1,000 or 5% LEP-person threshold for any language identified. See, however, (b) below.
- b. A 2014 spreadsheet titled "Final English Less Than Very Well PA 2014" provided by DCED by email on 10-17-2014 shows three municipalities, Greene, Lamar and Logan Townships, which have more than 5% of their population assessed as "speaking English less than very well." Each of these municipalities has a relatively high Amish population, and the language spoken here is Pennsylvania Dutch, a variant of Palatine (Low) German. The total population of such speakers in these townships is 404 persons. Though most Amish do not read or write in their spoken language, modern, textbook German is taught in Amish schools, so anyone who has attended an Amish school should be able to read modern German.
- c. Since in FY 2014 we are doing a project in Logan Township, and since the project involves the drinking water system for an entire community, we thought there could be a

possibility that non-English speakers might be affected. Our income survey of the project area, however, encountered no families who were unable to converse in English. There are two Amish families connected to the Tylersville system, but each of these is proficient in English reading and speaking. One Hispanic family connected to the system is also quite proficient in reading and speaking English. Our other project area, Renovo Borough, is reported in the DCED table as having no persons (0.0%) who speak English less than very well.

2. The frequency with which LEP persons come into contact with the program.

The proposed projects for 2014 are infrastructure projects that do not provide direct assistance to individuals. As a result, LEP persons rarely come into contact with the CDBG program. However, all citizen participation activities are open to the general public. Per Item (c) above, there are no non-English speakers involved with this years' projects.

3. The nature and importance of the program, activity, or service provided by the program.

The proposed project does not provide direct assistance to individuals. As a result, LEP persons rarely come into contact with the CDBG program. However, all citizen participation activities are open to the general public. . Per Item (c) above, there are no non-English speakers involved with this years' projects.

4. The resources available and costs to the recipient.

While there are currently no German-language forms posted on the HUD LEP website, software can be utilized to translate written materials into modern German. If the need arises, local volunteers can be identified to provide oral translation services at public meetings and during conversations with LEP residents during the implementation of any proposed project. Additionally, translation activities are an eligible CDBG administrative expense.

LANGUAGE ACCESS PLAN

As a result of the preceding Four-Factor Analysis, Clinton County has identified the following types of language assistance to be provided on an as-needed basis throughout the implementation of the CDBG program:

1. Beginning in 2015, the annual CDBG launch letter directed to Lamar, Logan and Greene Townships will include a second copy of the letter, program schedule, and public notice in German, with a request that these municipalities post the notices prominently in their township buildings.
2. If program requests from those municipalities are received, all further CDBG citizen participation documents, project-related resolutions, public notices, and amendments will be posted in German in public places throughout the proposed project area.
3. Additionally, all citizen participation postings in German will include a statement indicating these program materials will be available in German upon request.
4. If needed, a translator may be retained to provide oral translation in the field during the implementation of the project activities (generally for housing rehabilitation, hookups, acquisition, and relocation projects only).

5. If other populations of LEP persons are identified in the future, Clinton County will consider additional measures to serve the language access needs of those persons.



**EQUAL HOUSING
OPPORTUNITY**

**NOTICE of FAIR HOUSING
OFFICER and COMPLAINT
PROCESS for Clinton County**

This notice will serve to advise all residents of Clinton County that the following actions, if based on race, color, sex, national origin, religion, familial status (families with children), or handicap (disability) are prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law). The Pennsylvania Human Relations Act adds the protected classes of age and ancestry.

- Refusing to sell or rent to, deal or negotiate with any person.
- Discriminating on terms or conditions for buying or renting housing.
- Discriminating by advertising that housing is available only to persons of a certain race, color, religion, sex, national origin, familial status, handicap (disability), age or ancestry.
- Denying that housing is available for inspection, sale or rent when it really is available.
- Blockbusting-for profit, persuading owners to sell or rent housing by telling them that protected groups are moving into the neighborhood.
- Denying or making different terms or conditions for home loans by financial institutions.
- Denying to anyone the use or participation in any real estate services, multiple listing services or other facilities related to the selling and renting of housing.

All residents are hereby notified that **Tim Holladay** is designated as Fair Housing Officer for Clinton County. Any resident who believes they have been discriminated against under any of the above conditions may file a complaint with the Fair Housing Officer at the following address:

Tim Holladay
Clinton County Planning
232 East Main St.
Lock Haven, PA 17745
(570) 893-4080

NOTICE TO CONTRACTORS
SECTION 3 BUSINESS OPPORTUNITY
CLINTON COUNTY COMMUNITY BLOCK GRANT PROGRAM

The Clinton County Commissioners invite regional businesses to become certified as Section 3 Business Concerns. As a Section 3 Concern, your company will be placed on a list to receive all bidding notifications for CDBG projects, and your firm name will be circulated to all contractors bidding on CDBG projects for consideration of subcontract opportunities.

A Section 3 Business Concern is defined as a business:

- 1) That is 51% owned by Section 3 residents, or
- 2) Whose permanent, full-time employees include at least 30% Section 3 residents (within three years of their first employment), or
- 3) That commits to subcontract 25% or more of the contracted dollar amount to subcontractors meeting the qualifications of (1) or (2) above.

A Section 3 Resident is defined as:

- 1) A Clinton County public housing resident or
- 2) A Clinton County individual who meets the definition of Low Income based on HUD's published income limits for the county for the current year.

These are requirements of the CDBG program and the Department of Housing and Urban Development (HUD) Section 3 Guidelines. They promote local economic development, neighborhood economic improvement, and individual self-sufficiency for low- and very low-income individuals and businesses. To register as a Section 3 Business Concern, contact Kate de Silva at the Clinton County Planning Office, 232 East Main Street, Lock Haven, PA 17745, (570)893-4080, kdesilva@clintoncountypa.com.

Section 504 Plan Self-Evaluation and Transition Plan of Clinton County

Section 504 of the Rehabilitation Act of 1973 provides that no qualified person with handicaps shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance. Section 794 24 C.F.R. Part 8

Qualified Individual

A qualified individual with disabilities is anyone who meets all eligibility requirements of the program or activity.

Discrimination

To avoid discriminating against individuals with disabilities, Clinton County will provide:

- Program accessibility - No one may be denied access solely by reason of disability;
- Program benefits - Benefits may not be denied solely because of disability;
- Most integrated setting appropriate - Judgment should be based on individual need;
- No support to discrimination - Provide no assistance or support to entities that discriminate;
- Opportunity to serve on boards - Board membership must be open to all qualified persons;
- Equal Rights and privileges - Disabled individuals may not be denied equal treatment;
- Physically accessible sites - Programs, activities, and workplaces must be physically accessible;
- Administrative accommodation - Alternatives or modifications should be made as needed.

Elements of the Plan

Self-Evaluation

Clinton County will consult with interested citizens about plans to study the accessibility of its facilities, programs and/or activities. Clinton County will involve those who have disabilities, relatives of persons with disabilities, and advocacy groups representing the disabled. This involvement helps to ensure that the self-evaluation is conducted from the viewpoint of persons with disabilities, and therefore, more accurately reflects their needs.

Clinton County's self-evaluation consists of its facilities, administrative practices, and employment practices, as well as the annual projects and activities funded through federal grants. In the event that the municipality uses facilities of other municipalities or organizations to conduct the programs and activities funded with federal funds, those facilities, administrative practices and employment practices are also subject to self-evaluation.

See Self Evaluation Attached.

Modification of Policies and Practices

When it is found that policies and practices impact negatively upon the disabled, Clinton County will modify the appropriate policy or practice so that the problem is eliminated.

Transition Plan

In the event that Clinton County's facilities, programs and/or activities cannot be made accessible by making administrative changes, structural changes will be necessary. A transition plan outlining those changes will be developed. The plan should identify the steps required to complete the structural modifications. Interested citizens, especially disabled citizens, should be recruited to help develop the plan.

- 1) Identify the physical obstacles that limit the program's accessibility to person with disabilities;
- 2) Describe in detail the method to be used in making the facilities in question accessible;
- 3) Set forth the schedule of tasks, identifying actions to be taken within the first year;
- 4) Identify the official responsible for implementing the plan (the Section 504 Officer mentioned below); and
- 5) Identify those who assisted the recipient in preparing the transition plan.

See Transition Plan Attached.

Longevity of Plan

- I. County - Self-evaluation and transition plans, if necessary, once completed and brought into compliance for Clinton County, will remain in effect until such a time as location or new process changes and another self-evaluation is necessary.

Documentation must be kept in the Master (*CDBG/HOME/ESG/CDBG-DR*) file of the Municipality.

- II. Projects/Activities – Self-evaluation and transition plans, if necessary are required yearly for every new project of the municipality.

Documentation must be kept in the (*CDBG/HOME/ESG/CDBG-DR*) Program file.

[For Grantees with 15 or more Employees (full or part-time) the following must be in place]

Designation of Section 504 Officer

Clinton County has designated a person to oversee Clinton County's compliance efforts. The Section 504 Officer has a thorough working knowledge of federal accessibility requirements since she is responsible for ensuring the county's compliance and for initiating continued compliance efforts.

The Section 504 Officer named below will take the lead in evaluating the municipality's facilities, programs and practices, and in drafting the transition plan if one is needed. All the accompanying administrative details (securing assistance from interested disabled citizens, publishing notices of non-discrimination, etc.) should be monitored or carried out by this compliance officer. Keeping the municipality on target with the transition plan schedule is also part of her responsibility.

Grievance Procedure

The grievance procedure provides for timely resolution of discrimination complaints which are lodged against Clinton County and which pertain to the accessibility of its policies and practices.

See Grievance Procedure Attached.

Discrimination Complaints

Any person who believes that he or she has been discriminated against or any representative of such a person may file a confidential complaint with:

Local Section 504 Officer

Katherine M. de Silva
Clinton County Grants Administrator
Garden Building
232 East Main St.
Lock Haven, PA 17745

(570) 893-4080 x 2

kdesilva@clintoncountypa.com

Or

U.S. Department of Housing and Urban Development

FHEO/Regional III Office Mid-Atlantic Office
100 Penn Square East, 12th Floor
Philadelphia, PA 19107
(215) 861-7643
Fax: (215) 656-3449
TTY: (800) 927-9275

Or

U.S. Department of Housing and Urban Development

PITTSBURGH FHEO FIELD OFFICE
Moorhead Federal Building
1000 Liberty Avenue
Pittsburgh, PA 15222
(412) 644-5449 or (412) 644-6353
Fax: (412) 644-6516

The written complaint will be filed within 180 days of the alleged discriminatory act unless good cause can be shown for the delay. The complaint will show the name and address of the offending party, along with the details of the events leading to the charge of discrimination.

Notice of Nondiscrimination

Clinton County will make initial and continuing efforts to notify their participants, beneficiaries, applicants, and employees that it does not discriminate on the basis of disability in its federally funded programs, services, activities, and practices. The Section 504 Officer will be available for questions and comments. Initial and ongoing notification of nondiscrimination will be published using media that can be expected to reach vision and hearing-impaired individuals, which may include radio announcements and large-print flyers and newspaper notices. Also notifications will be published in multi-languages to reach persons of the community with Limited-English proficiency.

Subrecipient Remedial and Affirmative Action

All sub-recipients of federal grant funds through Clinton County are required to adhere to the regulations of Section 504 in their provision of services or projects. Should Clinton County determine that disabled individuals have been discriminated against by a sub-recipient of funding, appropriate remedial and

affirmative action will be required to the extent that Clinton County deems necessary. Clinton County will also determine what action should be taken in order to remedy prior discrimination.

Review of Non-Housing Activities

A person with disabilities who is otherwise qualified to participate in a Clinton County's program and activity or use publicly owned facilities of the municipality should not be denied the benefits of or excluded from participation in those programs or activities simply because the buildings or structures which house them are inaccessible. Facilities, programs and activities will be designed so that persons with disabilities can generally participate in all the activities that are federally funded.

Review of Housing Activities

Housing Units. Generally, new multifamily housing projects should be designed and built to be readily accessible to and usable by disabled individuals, according to Section 8.22 (a) of the final Rule. Further, the Section states that at least 5% of the total dwelling units, or at least one unit in a multifamily housing project (whichever is greater) shall be made accessible to individuals who have impaired mobility. Another 2% - or at least one unit - will be made accessible or adaptable for those who have hearing and vision impairments. In this case, accessibility means that the unit is on an accessible route and is either already accessible or adaptable.

When substantial alterations are made to an existing housing project with at least fifteen units and the cost is at least 75% of the facility's replacement cost, and then at least 5% - or at least one - of the units will be located on an accessible or adaptable route and will be made accessible or adaptable. Another 2% - or at least one - unit will be made accessible or adaptable to persons who have hearing or vision impairments. When other alterations are made to existing housing units, the recipient should, to the maximum extent feasible, make the units readily accessible. This is also the case when common areas are altered and when a single space in a dwelling unit is altered. The recipient should continue to create accessible units as units are rehabilitated until at least 5% of the units in the project have been made accessible or adaptable.

In determining whether facilities meet federal accessibility requirements, Clinton County will refer to the Uniform Federal Accessibility Standards (UFAS) for details such as acceptable door widths, lavatory heights, and ramp dimensions.

In the event that Clinton County is able to make programmatic changes that enhance the accessibility of its housing program to disabled applicants or residents, those changes should be identified and implemented.

However, when the only remedy is to make structural changes, the recipient will prepare a transition plan itemizing the changes. Input from interested citizens, especially disabled residents, will be included, and the other transition plan requirements listed above apply in this case.

See Transitional Plan Attached.

Other Housing Related Programs

Homeowner Rehabilitation Program

Clinton County participates in a Homeowner Rehabilitation Program and gives priority to the selection of projects that will result in dwelling units being made readily accessible to persons with disabilities. State and private funding sources are sought to combine with federal funds to address accessibility aspects of home rehabilitation work.

Homeownership Programs (in 2015, none are underway)

Any housing units newly constructed or rehabilitated using federal assistance will be made accessible upon the request of a prospective buyer. Any required alterations will adhere to the UFAS standards, and the cost of the changes becomes the buyer's responsibility. The cost may be added to the mortgage amount, except that the added cost will not raise either the sales price or the mortgage amount beyond established limits.

Historic Properties

Generally, historic properties will be made accessible when they are altered with federal dollars, unless accessibility would substantially impair the "significant historic features" of the property or result in undue financial and administrative burdens.

SECTION 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED SELF EVALUATION

GENERAL REQUIREMENTS

Clinton County's self-evaluation will be completed prior to the municipality's use of federal funds either initially and/or at the start of a project or activity. In preparation of the self-evaluation, Clinton County must consult with individuals with disabilities or organizations representing them.

Keep on file for Clinton County Self Evaluation, as long as CDBG/HOME/ESG/CDBG-DR recipient, in Master file:

- a. A list of interested persons consulted;
- b. A description of area examined and any problems identified; and
- c. A description of modifications made and remedial steps taken.

Project/Activity Self Evaluation until released by DCED, in Program file:

- a. A list of interested persons consulted;
- b. A description of area examined and any problems identified; and
- c. A description of modifications made and remedial steps taken.

Adopt and implement a grievance procedure for timely resolution of discrimination complaints.

Make initial and continuing efforts to notify applicants, tenants, and employees that Clinton County does not discriminate on the basis of disability.

ELEMENTS

- Evaluation of current facilities, policies and practices relative to the Section 504 regulations.
- Evaluation of projects and/or activities to be funded with federal funds.
- Modifications of any facilities, policies and practices that do not meet the Section 504 requirements.
- Corrective action to remedy any discrimination found.

AREAS TO BE EVALUATED

- Buildings or facilities for physical accessibility, program outreach and communication
- Eligibility and admission criteria and practice
- Distribution and occupancy policy and practice
- Percentage of accessible units
- Employment (including pre-employment)
- Complaint processing procedures

REASONABLE ACCOMMODATION

Definition: an adjustment in a federally assisted or conducted program or activity in order to accommodate the known physical or mental limitations of an otherwise qualified individual with a disability.

- a. Must be provided unless it:
 1. Imposes an undue financial or administrative burden, as determined by the municipality and reviewed and approved by DCED, or
 2. It alters the fundamental nature of the program.
- b. Must be equally effective.
- c. Should not be of a personal nature.
- d. Should be provided and applied on a case-by-case basis.

Clinton County CDBG INCOME SURVEY METHODOLOGY

Many CDBG projects may qualify for assistance on the basis of a National Objective Justification of LMA (Area Benefit). This means the area served by the project must be proven to be inhabited by at least 51% LMI (low to middle income) persons. Under guidelines issued by HUD as CPD Notice 14-10, HUD's Low-Moderate Income Summary Data (LMISD) effective on July 1, 2014 must be used to qualify a project, "to the fullest extent feasible."

Though DCED has provided the LMISD results by municipality as well as by census tract and block groups, these data, derived from the American Community Survey, sometimes do not provide enough information regarding income levels for the entire service area of a project. In many cases, the project area is smaller or greater than any of these units, or extends from one unit into to another. In these cases and others, the only way to determine income levels with any certainty is by polling affected residents via an income survey. The Code of Federal Regulations, 24 CFR 570.483(b)(1)(i) allows the use of "methodologically sound" surveys.

Clinton County's survey methodology was extracted from HUD CPD Notices 05-06 and 14-013.

A Summary of Steps in Conducting LMI Surveys

Step 1: Select the Type of Survey. Decide which survey method to use (telephone, door-to-door, or mail questionnaire) and base your decision on available staff and size of the sample you need. For most Clinton County projects, a door-to-door survey is the preferred method, because it produces the highest response rate.

Step 2: Develop the Questionnaire.

- Use standard 12-point print and do not congest too many questions on one sheet of paper.
- Keep the questions short, simple and efficient. Keep the language as simple as possible.
- Avoid bias. Avoid questions that might encourage particular answers.
- Make sure that the survey does not take too long.
- Incorporate the most current HUD-issued income limits.
- Keep the answers provided by respondents confidential. People are more likely to provide honest answers if they know the answers will remain anonymous. Place the respondent's name, address, and telephone number entries only on the cover sheet. After the survey is completed, the cover sheet may be numbered and separated from the actual interview sheet.

Clinton County's 2015 CDBG Survey Questionnaire is included in this plan as Exhibit 1.

Step 3: Select the Sample.

- Define your service area: What are the boundaries of the service area? What is the size of the population for which you are calculating the percentage of persons who are LMI?
- Select the unit type to be interviewed: A family is defined as all persons living in the same household who are related by birth, marriage, or adoption. ALWAYS SURVEY BY FAMILY FOR INFRASTRUCTURE/SERVICE AREA PROJECTS. A household is defined as all persons who occupy a housing unit. There may be multiple families in a household (unit). ALWAYS SURVEY BY HOUSEHOLD FOR HOUSING PROJECTS.
- Identify the Sample: Obtain a complete list of families and addresses in the service area. Survey seasonal properties only if they will receive direct assistance from the project, such as in the case of a new water or sewer hookup. Typically for Clinton County projects, the goal is to survey everyone affected by the project (i.e., 100% sample). If the affected population is too large for a door-to-door effort to be practical, follow these steps:
 - Determine the sample size and response rate: Follow the guidelines in Survey Worksheet K-2 (Exhibit 2), which references the Sample Size Calculator at <http://www.surveysystem.com/sscalc.htm>
 - Make sure that the entire service area is covered: that is, be certain that you have not excluded certain areas or groups of people. Exclude commercial (retail and industrial) sites, vacant lots and abandoned and vacant homes from the sample because they do not have any effect on the outcome of the survey. Make sure the selection of subjects to be included in the sample and replacement procedures are structured to avoid bias; for example, daytime or weekday attempts may skew response rates in favor of unemployed, retired, or single-income families.

Step 4: Select and Train the Interviewers. The quality of the results of the survey will depend on how thoroughly and how impartially the survey is conducted. UNDER NO CIRCUMSTANCES SHALL THE INTERVIEWER HAVE A VESTED INTEREST OR HAVE ANY POTENTIAL TO BENEFIT FROM THE PROJECT.

Organize in detail the interviewing process before beginning the formal process. Make sure the interviewer(s) are very comfortable with the questions. The training shall include:

- Describing the entire survey
- Providing an interview “script”
- Identifying the sponsor of the survey
- Providing the interviewer with a working knowledge of survey research
- Explaining the survey sampling logic and process
- Explaining interview bias
 - The beneficiary community must have no advance indication that any benefit will be gained by a particular answer.

- The interviewer must not indicate, during the interview, that any benefit will be gained by a particular answer.
- Ask each member of the survey team to sign a certification that he/she will not bias the results.
- Explaining respondent selection process
- Explaining scheduling and supervision
- Explaining follow-up for non-response
- Conducting a practice interview

Step 5: Conduct the Survey. Make contact in advance with the residents of the service area (in writing or by public notice) to let people know that you are coming. Make sure they understand the reason for the survey, without indicating a potential benefit for a particular result. Use the following phrase: *“Community Name is applying for funding and must provide current estimates of income.”*

Try again (and again) to establish contact and reschedule another interview if initial contact has not resulted in an interview. To maintain sample size, replace families you have written off as “unreachable.” Strive for 100% response rate.

Step 6: Analyze the Results. Complete the Survey Worksheet K-2 (Exhibit 2). Record your calculated percentage of LMI persons on the Survey Results Distribution Worksheet (Exhibit 3).

Step 7: Document and Save Your Results

- Save the worksheets showing how you arrived at your results.
- Save the completed questionnaires—in the above-mentioned two-page form that does not reveal the identity of the respondents. Use code numbers to conceal the identity of respondents.
- Save the list of respondents in a form that does not identify their responses
- Save the description of the service area, the list of your sampling procedures (original sample, interview sheets or completed questionnaires, tabulations and a list or memo describing how other survey elements were handled, including replacements and replacement methods).
- Store the data securely, where it cannot be accessed by the public except in summary form per above.

Clinton County CDBG
RESIDENTIAL ANTIDISPLACEMENT AND
RELOCATION ASSISTANCE PLAN

UNDER SECTION 104(d)
OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED

It is the intent of the Clinton County Commissioners to undertake Community Development Block Grant (CDBG) activities, which do not result in displacement of residents. Clinton County is, however, required by law to make available the following policy should any displacement occur.

In an effort to mitigate the adverse effects of displacement, the Clinton County Board of Commissioners will assure that:

1. Clinton County will replace all occupied and vacant occupiable low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR Part 570.606(b)(1).
2. All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in demolition or conversion, the Board of Commissioners will make public and submit to the Pennsylvania Department of Community and Economic Development (DCED) the following information in writing:

A description of the proposed assisted activity;

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

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

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

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

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

Clinton County will provide relocation assistance as described in 24 CFR Part 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, the Commissioners will consider alternative projects funded under the Housing and Community Development Act of 1974, as amended, that will not result in displacement of residents.

Clinton County CDBG CITIZEN COMPLAINT PROCESS

Clinton County has adopted a grievance procedure providing for prompt and equitable resolution of any complaints alleging unfair or improper action, or action prohibited by the Code of Federal Regulations for the CDBG program or 24 CFR 570, 58, and 85.

Persons aware of any instance of discrimination, denial of benefits, exclusion from the CDBG program, or unfairness in the administration of the program are advised to file a formal complaint to the County. Complaints should be addressed to:

Katherine de Silva
Clinton County Grants Administrator
232 East Main St.
Lock Haven, PA 17745

A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.

A complaint should be filed within ten (10) working days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis).

An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the Grants Administrator. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

A written determination as to the validity of the complaint and description of its resolution, if any, shall be issued by the grants administrator, and a copy shall be forwarded to the complainant no later than ten (25) working days after its filing.

The Grants Administrator shall maintain the County files and records relating to the complaint. This documentation shall remain part of the Grantee Master File.

In instances of dissatisfaction with the resolution, the complainant can request a reconsideration of the case. The request for reconsideration should be made to the County Clerk, Paula A. Kistler, within ten working days of the initial resolution. In the event of continued dissatisfaction, address the complaint to:

Donna Enrico
PA Department of Community and Economic Development
Center for Community Financing
Commonwealth Keystone Building
400 North St., 4th Floor
Harrisburg, PA 17120

The right of a person to a prompt and equitable resolution of any complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the U.S. Department of

Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.

These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that Clinton County complies with federal regulations.

Clinton County CDBG CITIZEN PARTICIPATION PLAN

In accordance with 24 CFR 570, Clinton County is required to develop, as part of its Community Development Block Grant (CDBG) Program, a Three Year Community Development Plan. This plan is developed with citizenry input and engagement of the non-entitlement communities within the County. When adopted, it serves as the blueprint for Clinton County's current and future CDBG projects.

Because participation by the citizenry is both required by the federal CDBG Program, and because it is a valuable part of the planning process, Clinton County shall annually undertake the following steps:

- 1) Send a letter to each non-Entitlement municipality within the County, advising them of the following:
 - a) The opening of the annual CDBG Program
 - b) The funds available, or an estimate if the amount is not yet in hand
 - c) The eligible activities
 - d) The federal fundability requirements
 - e) The deadline for project submittal to the County
 - f) The project application form
 - g) The schedule for development and finalization of the County application
 - h) The contact information for the person who can answer application questions.
- 2) Post the following on the news banner of the County Website:
 - a) The project application form
 - b) The application schedule
- 3) Post the following on the CDBG section of the County Website:
 - a) A description of CDBG program basics and eligible activities
 - b) A description of County CDBG program procedures and Citizen Complaint Process
- 4) Publish in the local newspaper, or publicly post, a minimum of five days prior to the hearing, a First Public Hearing Notice informing the public of the following:
 - a) CDBG dollars anticipated;
 - b) Range of eligible activities for which the funds may be used – eligibility and fundability;
 - c) Percentage or dollar amount committed to low to moderate income (LMI) persons;
 - d) Any displacement that is expected to occur as a result of the use of CDBG funds;
 - e) Date, location, and time of the First Public Hearing to invite project discussion and proposals;
 - f) The list of potential projects currently identified; and
 - g) Offer of assistance to disabled persons.
- 5) Conduct a First Public Hearing to address the following:
 - a) Funds available;
 - b) Summary of eligible activities;
 - c) Review of three federal fundability thresholds (benefit LMI citizens, prevent slums and blight, meet urgent need);
 - d) Identification and discussion of known projects, as presented by project representatives;

- e) Solicitation and discussion of new projects;
 - f) Review of Anti-Displacement Plan and declaration of any expected displacement;
 - g) Identification and solicitation of any known environmental impacts of the proposed projects; and
 - h) Solicitation of public comment on previously funded CDBG projects.
- 6) Publish in the local newspaper, or publicly post, a minimum of five days before the hearing, a Second Public Hearing Notice informing the public as follows:
- a) Funds available;
 - b) The County's intention to apply;
 - c) Funded activity(s) and dollars allocated to each; and
 - d) Date, location, and time of public hearing to solicit comment on proposed projects.
 - e) Offer of assistance to disabled persons.
- 7) Conduct a second (final) public hearing to address the following:
- a) Announce funds available;
 - b) Review activities and dollars for each; and
 - c) Invite comment.
- 8) After any comments received have been responded to and/or resolved, invite the Commissioners to make a resolution to apply, at one of their regular public meetings, for the projects forwarded by Steps 1-6.

Clinton County CDBG
CODE OF CONDUCT
and
CONFLICT OF INTEREST POLICY

With respect to the procurement of goods and services with CDBG funds, Clinton County must maintain standards of conduct governing the performance of its employees engaged in the award and administration of its contracts. These standards shall conform to the requirements of 24 CFR 84.42 and 85.36, and at the minimum, require that:

- No employee, officer, or agent of Clinton County may participate in the selection, award, or administration of a contract supported by Federal funds if a real or apparent conflict would be involved. Such a conflict would arise when any of the following parties has a financial or other interest in the firm selected for an award:
 - an employee, officer, or agent of the County;
 - any member of an employee's, officer's, or agent's immediate family;
 - an employee's, agent's, or officer's partner; or
 - an organization which employs or is about to employ any of the preceding.
- Employees, agents, and officers of Clinton County may neither solicit nor accept gratuities, favors, or anything of value from contractors, or parties to subagreements. However, in situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value, the situation may be allowed to stand if:
 - the facts of the case are documented and all parties to the situation are named
 - this documentation is reviewed by counsel and satisfactory to all parties
 - this documentation is publicly accessible
 - if any public objection is raised, the employee, agent, or officer of the County will either
 - Abstain from participating in the selection, award, or administration of the contract; or
 - Surrender his/her interest; gift or gratuity prior to award of the contract.

Any violations of this Code of Conduct/Conflict of Interest Policy, or of Section 26 of the County of Clinton Personnel Policy and Procedure Manual, by employees, agents, or officers of the County, shall be subject to the disciplinary actions outlined in the Manual, namely, the forfeiture of employment with the County.

With respect to all other CDBG-assisted activities, the standard is that no employee, agent, or officer of Clinton County, who exercises decision-making responsibility with respect to CDBG funds and activities, is allowed to obtain a financial interest in or benefit from CDBG activities, or have a financial interest in any contract, subcontract, or agreement regarding those activities or in the proceeds of the activities.

- This requirement applies to any person who is an employee, agent, consultant, officer, or elected or appointed official of the grantee, a designated public agency, or a subrecipient, and to their immediate family members, and business partner(s).
- The requirement applies for such persons during their tenure and for a period of 1 year after leaving the grantee or subrecipient organization.
- Upon written request, exceptions may be granted by HUD on a case-by-case basis, after consideration of the cumulative effect of various factors listed at 24 CFR 570.611(d), and only with: (a) full disclosure of the potential conflict, and (b) a legal opinion of the grantee's attorney that there would be no violation of state or local laws in granting the exception.

CODE OF CONDUCT

Any contract or purchase where an official has a personal interest will be closely scrutinized as to its legality. In all cases, the appearance of honesty and impartiality are as important as fulfilling legal requirements. When Community Development Block Grant Program funds are involved, any areas in question related to this Code should be addressed to the Pennsylvania Department of Community and Economic Development, Office of Community Development and Housing and/or the Clinton County solicitor for a determination.

Clinton County CDBG
DRUG-FREE WORKPLACE POLICY

All county employees acting as agents for the Community Development Block Grant Program shall follow Section 47 of the *County of Clinton Personnel Policy and Procedure Manual*, amended in March 2011, as follows:

SECTION 47: SUBSTANCE ABUSE

1.0 POLICY

1.1 It is the policy of Clinton County to operate and maintain its facilities in a safe and efficient manner and to provide a safe, efficient, and healthy work environment for County employees, elected officials as well as its clients and the community. It is our philosophy that the use, misuse or abuse of controlled substances and/or alcohol poses a potential threat to the safety of our employees, elected officials, clients and community. Additionally, it is the policy of Clinton County to provide our employees with opportunities for rehabilitative assistance, when required, so that they may retain their employment relationship.

2.0 PURPOSE

2.1 The purpose of this Substance Abuse Policy is to set forth policies and procedures regarding the reporting, testing, rehabilitation and restoration of active employment necessary to ensure compliance with our policy of operating in a totally safe, healthful and productive workplace environment.

3.0 SCOPE

3.1 This policy shall apply to all Clinton County employees covered by this Agreement and applicants for employment.

3.2 This Policy prohibits the possession, ingestion, use, distribution, sale and being under the influence of any controlled substance and/or alcohol on the county's premises.

3.3 Open alcohol containers, drug paraphernalia and/or contraband are also prohibited on the County's premises (premises include all Clinton County property, facilities, buildings, storage areas, parking areas, vehicles, etc.)

4.0 DEFINITIONS

4.1 Controlled Substances: Any drug or substance listed in Controlled Substance Drug Device and Cosmetic Act 64, including but not limited to:

Cannabis (Marijuana, Hashish, Hashish oil, etc.)
Stimulants (Amphetamines, cocaine, crack, etc.)
Depressants (Barbiturates, Quaaludes, Valium, etc.)
Narcotics (Morphine, heroin, opium, Dilaudid, etc.)

Hallucinogens (LSD, PCP, mescaline, peyote, “designer drugs”, etc.)

4.2 Alcohol: Any alcoholic beverage, the consumption of which affects the performance and actions of an employee to the extent that he/she may pose a threat to the safety of himself/herself and/or his/her co-workers.

4.3 Medical Authorization: A prescription or other writing from a licensed physician or dentist for the use of a controlled substance in the course of medical treatment, including the use of methodone in a certified drug program.

4.4 Safety - Sensitive Positions: Those positions wherein there is a reasonable chance of harm to others or access to classified information, including but not limited to corrections officers, deputy sheriffs, county detectives, communication center, emergency management, and any other employees that may fall into the Safety Sensitive category, as deemed necessary by the commissioners.

4.5 County employees, in Safety Sensitive positions, taking prescribed medications are required to advise their immediate supervisor if the use of the prescribed medication could adversely affect their work ability, job performance, or the safety of themselves or other individuals with whom they come in contact. This is especially critical when vehicular operation is a part of the employee’s job description.

5.0 REPORTING

5.1 Any employee voluntarily reporting his/her abuse of controlled substances and/or alcohol may be temporarily placed on an unpaid leave of absence for participation in an in-patient or other appropriate rehabilitation program.

5.2 All employees are encouraged to report any unusual behavior, which may present an unsafe condition, to their immediate supervisor who will in turn evaluate the need for testing in accordance with 6.2.2 below. Clinton County agrees to provide training to supervisory employees at the County’s expense, with no loss in pay, to help supervisory personnel recognize drug and alcohol problems.

5.3 At the time of a Drug/Alcohol test being administered, the employee being tested will provide a list of any and all medications, prescription or non-prescription that has been ingested by the employee within the past 48 hours, prior to the testing. This list shall accompany, and become part of the “chain of custody” documents. In the event of a positive result of a drug in the sample that is related to the prescription drug on the list, the employee shall provide evidence of the drug being prescribed by a licensed practitioner.

If the employee is taking the prescription or non-prescription medication in the manner authorized by the prescribing licensed practitioner, or according to the directions of the non-prescription medication, and has satisfactorily documented such intake, a positive result may be reported to the requesting agency as a negative.

Use of medications prescribed for another individual, not the tested employee, shall be considered to be illegally used and will result in disciplinary action brought against the employee.

6.0 TESTING

6.1 All applicants for safety-sensitive positions are subject to pre-employment screening for controlled substances. Applicants who refuse to undergo testing or who test positive for controlled substances will not be hired.

6.2 Employees of Clinton County shall submit to controlled substance and/or alcohol testing under the following circumstances:

6.2.1 Upon returning to duty following a leave of absence resulting from a violation of this policy.

6.2.2 Where there is reason to believe, based on objective verifiable facts, that controlled substance and/or alcohol abuse may have contributed to an employee's workplace injury, unusual behavior, attendance record, or job performance.

6.2.2.1 An employee suspected of being under the influence of a controlled substance or alcohol while in the workplace, or who is in a motor vehicle accident, shall be escorted by a supervisory person or a designated County representative, to the collection center for the testing, which testing shall be sufficient to be admitted into evidence in any subsequent judicial proceeding. Upon the completion of the testing the employee will be taken to his or her place of residence. At no time shall a suspect employee be allowed to operate a vehicle, either county owned or privately owned after being presumed to be under the influence of a controlled substance or alcohol. The employee should not leave the scene of the accident until an escort arrives.

6.2.3 An employee who has successfully completed rehabilitation will be subject to random testing for one year.

6.3 Any time an employee is sent for drug or alcohol testing during active duty, he/she will be immediately placed upon an unpaid leave of absence pending the outcome of the testing. If an employee subsequently tests negative, he/she will be returned to work and paid for the time he/she was on the unpaid leave of absence. In the event the employee tests positive, he/she will not be paid for the time off on the unpaid leave of absence and will be subject to Sections 7.0 and 10.0.

6.4 Employees in safety-sensitive positions, as designated in section 4.4, may be subject to a substance abuse test, without prior notification.

6.5 Employees having a Vehicular accident during work hours, or in the course of their job, or have an injury major or minor will be taken to a collection center for an alcohol & drug test by a supervisor or designated person by the Chief Clerk or their representative.

7.0 DISCIPLINARY ACTION

7.1 Refusal to take such tests as provided above may result in disciplinary action up to and including discharge. Employees dismissed as a result of such refusal will not be eligible for restoration to active employment.

7.2 When a test has been confirmed positive, by all available methods, the employee shall be referred, in writing, to a properly accredited Employee Assistance Program (EAP) or other approved counseling service for counseling. Failure to report to or participate in counseling to the

fullest extent of the procedures outlined by the counseling agency, may result in disciplinary action up to and including discharge. Any employee so referred must report to or arrange an appointment within three (3) working days of the date referred to the Agency. Employees dismissed under this Paragraph will be deemed unacceptable to return to active employment with the County.

7.3 If an employee tests positive for the use of a controlled substance and/or alcohol, a second time, after returning to work following rehabilitation, he/she shall be dismissed from employment unless there are extenuating circumstances. Any such employee will not be offered the opportunity for reinstatement or re-employment with the county.

8.0 TESTING PROCEDURES

8.1 Type of Test- Random testing may include, but not be limited to, a urinalysis test for controlled substances and evidential or non-evidential breath test for alcohol. The collection and testing of specimens will be undertaken in accordance with the mandatory guidelines for Federal Workplace Testing Programs, 49 CFR §40. The laboratory performing a urinalysis screening will be approved by the Department of Health and Human Services. For purposes of this Policy, the collection site will be an accredited Facility or a laboratory designated by the Commissioners.

8.2 Initial Screen - All specimens will be initially tested (screened) for the following five (5) drugs or their metabolites using immunoassay procedures. Initial tests (screens) will be considered negative if the reported levels are less than those specified below. Initial tests (screens) indicating a level equal to or greater than those specified below will be subject to confirmatory testing.

<u>Drug/Drug Metabolite</u>	<u>Maximum Acceptable Cutoff in Nanograms/Milliliters</u>
Marijuana metabolites	50
Cocaine metabolites	300
Opiate metabolites	300
Phencyclidine (PCP)	25
Amphetamines	1000

8.3 Confirmatory Testing: Confirmatory testing will be conducted using gas chromatography/mass spectrometry (GC/MS). Confirmatory test results will be reported as negative if the GC/MS indicates a result at a level less than the cutoff levels specified below. Any confirmatory test resulting in a level equal to or greater than the cutoff levels listed below will be reported positive.

<u>Drug/Drug Metabolite</u>	<u>Maximum Acceptable Cutoff in Nanograms/Milliliters</u>
Marijuana metabolites	15
Cocaine metabolites	150
Opiates	
Morphine	300
Codeine	300
Phencyclidine (PCP)	25
Amphetamines	
Amphetamine	500
Methamphetamine	500

8.4 A test result determined to be positive under the above criteria may be regarded as negative if the drug or metabolite detected results solely from the individual's consumption of prescribed or over-the-counter medication in accordance with a physician's instructions as determined by the medical review officer (MRO.)

8.5 Testing for alcohol, by the best method available, will be considered positive if the results of the test prove to be equal to a blood alcohol level of 0.02% or greater.

8.6 All records of tests and test results will be handled only by the Chief Clerk, or an individual designated by the commissioners, on a strict confidential basis and will not be released to a third party, without the employee's written authorization.

9.0 REHABILITATION

9.1 In order to create a drug and alcohol-free work environment and to ensure a safe and productive work place, Clinton County will provide to each employee confirmed, as testing positive, an opportunity to undergo appropriate initial and follow-up counseling. This service will also be made available to any employee who may voluntarily wish to participate in such counseling. Costs of any treatment, as prescribed by the providing Agency will, however, be the responsibility of the employee, unless covered under the County's health insurance plan or a County's Employee Assistance Program (EAP).

9.2 Employees referred to counseling must comply in all respects with the directions and program requirements of the counseling agency or be subject to disciplinary action as contained in section **7.0** of this policy.

9.3 Employees who are referred to counseling pursuant to Paragraph 7.2 where the counselor recommends, will be placed on an unpaid leave to complete the appropriate rehabilitation.

9.4 When an employee is referred to counseling and the counselor reports that the employee has not met the requirements of the Drug and Alcohol Program, the employee may be subject to discipline up to and including discharge. Employees dismissed under this Paragraph will not be eligible for restoration to active employment.

9.5 The counselors shall notify Clinton County's Chief Clerk, or an individual designated by the commissioners, immediately in all cases where an employee has failed to cooperate or satisfactorily meet the requirements of the rehabilitation program prescribed. Such notification

shall be confirmed in writing. The counselors shall update Clinton County's Chief Clerk, or a designated individual by the commissioners, of the status of all employees receiving treatment in a secure fashion as to keep the identity of the employee unknown to anyone else.

9.6 In all cases, employees undergoing a rehabilitation program as prescribed by the accredited Drug and Alcohol Agency must be released by the Agency to resume employment before reinstatement will be undertaken.

10.0 RESTORATION TO ACTIVE SERVICE

10.1 An employee who has been provided an unpaid leave of absence to undergo counseling and subsequent treatment will be restored to active duty, as soon as possible but no later than two (2) weeks, after he or she is certified by such program or other medical authority as being free from use of alcohol, drugs or controlled substances as defined in Section 4.0 of this Policy. Employees desiring to obtain counseling or treatment in a program or under medical authority not under the jurisdiction of Clinton County must obtain prior approval to use such treatment program or medical authority. Treatment rendered under such approved program or medical authority must be reviewed and approved by Clinton County prior to a recommendation of restoration to duty.

Clinton County CDBG

EXCESSIVE FORCE POLICY

Clinton County, as a recipient of federal funding through the Community Development Block Grant (CDBG) program is governed by Section 519 of the Department of Veteran Affairs and U.S. Department of Housing and Urban Development, and Independent Agencies Appropriations Act of 1990. The Act requires that all CDBG recipients adopt and enforce a policy to prohibit the use of excessive force by law enforcement agencies within the recipient's jurisdiction against any individuals engaged in non-violent civil rights demonstrations.

All recipients of CDBG funds are further required to follow a policy of enforcing applicable state and local laws against physically barring entrances or exits to a facility that is the subject of a nonviolent protest demonstration.

The Board of Commissioners of Clinton County endorses the above-described policy prohibiting the use of excessive force and will inform its law enforcement department within its jurisdiction of this policy. It will enforce any applicable state or local laws against physically barring entrances or exits from a facility or location that is the subject of a non-violent protest demonstration, and any individual or group who feels that the County has not complied with this policy is encouraged to file a complaint.

Information and assistance relative to excessive force complaints shall be directed to the County Grants Administrator in the Planning Department.

**Clinton County CDBG
FAIR HOUSING AND EQUAL EMPLOYMENT OPPORTUNITY POLICY**

EQUAL OPPORTUNITY POLICY

Clinton County is an Equal Opportunity Employer. Its EOE policy is incorporated in the *County of Clinton Personnel Policy and Procedure Manual*, as follows:

- A. The County is an Equal Employment Opportunity Employer and does not discriminate against any person in recruitment, examination, appointment, training, promotion, retention, discipline or any other aspect of personnel administration because of political or religious opinions or affiliations or because of race, sex, national origin, handicap, or any other physical disability. Discrimination is prohibited except where specific age, sex, or physical requirements constitute a bona fide occupational qualification.
- B. Any employees who feel that they have been discriminated against have the right to file complaints with the State Human Relations Commission, the Equal Employment Opportunity Commission, the State Civil Service Commission (if appropriate), or the Courts of the Commonwealth of Pennsylvania.

All contract agreements to execute projects under CDBG programs include the contractor's Certification of Bidder Regarding Equal Employment Opportunity, and EOE practices will be upheld by each contractor covered under a CDBG agreement. It is the responsibility of the Grants Administrator in the Planning Department to assure compliance. Any event of non-compliance will be reported to the County EOE Officer.

FAIR HOUSING ANALYSIS

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, age, sex, familial status, and/or disability. To affirmatively address barriers to fair housing, Clinton County performed a Fair Housing Analysis to identify impediments to fair housing choice within our borders. In addition, the County took a number of action steps suggested by the Pennsylvania Department of Community and Economic Development in its CD&H Practitioners Alert of September 28, 2012.

PART I - DEMOGRAPHIC FACTORS

To determine the extent, if any, of barriers to fair housing, the County first examined the most recent data available (as of March 2013) to assess the demographic potential for discrimination.

Table DP-1 - Profile of General Population and Housing Characteristics: 2010

Geographic area:

Clinton County

Subject	Number	Percent	Subject	Number	Percent
Total population	39,238	100.0%	HISPANIC OR LATINO		
			Total population	39,238	100.0%
SEX AND AGE			Hispanic or Latino (of any race)	437	1.1%
Male	19,251	49.0%	Mexican	147	0.4%
Female	20,007	51.0%	Puerto Rican	132	0.3%
Under 5 years	2,265	5.8%	Cuban	19	-
5 to 9 years	2,241	5.7%	Other Hispanic or Latino [0]	139	0.4%
10 to 14 years	2,299	5.8%	Not Hispanic or Latino	38,801	98.9%
15 to 19 years	3,356	8.6%			
20 to 24 years	4,034	10.3%	RELATIONSHIP		
25 to 29 years	2,108	5.4%	Total population	39,238	100.0%
30 to 34 years	1,968	4.9%	In households	38,815	99.3%
35 to 39 years	2,192	5.6%	Householder	15,151	38.6%
40 to 44 years	2,234	5.7%	Spouse [0]	7,570	19.3%
45 to 49 years	2,806	6.9%	Child	9,781	24.9%
50 to 54 years	2,898	7.3%	Own child under 18 years	7,334	18.7%
55 to 59 years	2,529	6.4%	Other relatives	1,412	3.6%
60 to 64 years	2,330	5.9%	Under 18 years	550	1.4%
65 to 69 years	1,802	4.6%	65 years and over	269	0.7%
70 to 74 years	1,486	3.8%	Nonrelatives	2,701	6.9%
75 to 79 years	1,215	3.1%	Unmarried partner	1,246	3.2%
80 to 84 years	1,013	2.6%	In group quarters	2,623	6.7%
85 years and over	834	2.1%	Institutionalized population	596	1.5%
Median age (years)	38.5	(X)	Noninstitutionalized population	2,027	5.2%
16 years and over	32,061	81.7%	HOUSEHOLDS BY TYPE		
18 years and over	31,121	79.3%	Total households	15,151	100.0%
21 years and over	27,954	71.2%	Family households (families) [7]	9,866	65.1%
62 years and over	7,751	19.8%	With own children under 18 years	3,949	25.4%
65 years and over	6,350	16.2%	Husband-wife family	7,570	50.0%
RACE			With own children under 18 years	2,517	16.6%
One Race	38,965	99.2%	Female householder, no husband present	1,564	10.3%
White	37,860	96.5%	With own children under 18 years	918	6.1%
Black or African American	625	1.6%	Nonfamily households [7]	5,285	34.9%
American Indian and Alaska Native	34	0.1%	Householder living alone	4,010	26.5%
Asian	200	0.5%	Householder 65 years and over	1,872	12.4%
Asian Indian	81	0.2%	Households with individuals under 18 years	4,243	28.0%
Chinese	44	0.1%	Households with individuals 65 years and over	4,531	29.9%
Filipino	22	0.1%	Average household size	2.42	(X)
Japanese	7	-	Average family size [7]	2.90	(X)
Korean	27	0.1%	HOUSING OCCUPANCY		
Vietnamese	10	-	Total housing units	19,080	100.0%
Other Asian [1]	29	0.1%	Occupied housing units	16,151	79.4%
Native Hawaiian and Other Pacific Islander	15	-	Vacant housing units	3,929	20.6%
Native Hawaiian	11	-	For rent	342	1.8%
Guamanian or Chamorro	2	-	Rented, not occupied	52	0.3%
Samoan	-	-	For sale only	183	1.0%
Other Pacific Islander [2]	2	-	Sold, not occupied	56	0.3%
Some Other Race	171	0.4%	For seasonal, recreational, or occasional use	2,861	15.0%
Two or More Races	333	0.8%	All other vacants	435	2.3%
White, American Indian and Alaska Native [3]	110	0.3%	Homeowner vacancy rate (percent) [8]	1.7	(X)
White, Asian [3]	67	0.2%	Rental vacancy rate (percent) [9]	7.1	(X)
White, Black or African American [3]	121	0.3%	HOUSING TENURE		
White, Some Other Race [3]	20	0.1%	Occupied housing units	15,151	100.0%
Race alone or in combination: [4]			Owner-occupied housing units	10,745	70.9%
White	38,187	97.3%	Population in owner-occupied housing units	26,837	(X)
Black or African American	753	1.9%	Average household size of owner-occupied units	2.50	(X)
American Indian and Alaska Native	149	0.4%	Renter-occupied housing units	4,406	29.1%
Asian	269	0.7%	Population in renter-occupied housing units	9,778	(X)
Native Hawaiian and Other Pacific Islander	23	0.1%	Average household size of renter-occupied units	2.22	(X)
Some Other Race	195	0.5%			

X Not applicable.

Source: U.S. Census Bureau, 2010 Census.

Disability prevalence data for Clinton County, Pennsylvania

The estimated number of persons in Clinton County, Pennsylvania and the percent with self care difficulty or independent living difficulty by age (with comparable estimates for the state and the nation).

Data from the 2008-2010 American Community Survey.

Area	Ages 18-64				Ages 65 and over			
	Total persons	<u>M.E.</u> ¹ With a self care difficulty	<u>M.E.</u> ¹ With an independent living difficulty	Total persons	<u>M.E.</u> ¹ With a self care difficulty	<u>M.E.</u> ¹ With an independent living difficulty	<u>M.E.</u> ¹ With a self care difficulty	<u>M.E.</u> ¹ With an independent living difficulty
Clinton County	24,165	1.8%	3%	6,236	9.9%	15.5%	1.7%	2.7%
Pennsylvania	7,789,482	1.7%	3.7%	1,864,899	7.7%	16%	0.2%	0.2%
US	189,239,988	1.8%	3.4%	38,279,866	8.8%	16.4%	0.1%	0.1%

Note: The percentages of the population with an independent living difficulty or a self-care difficulty are presented separately. These percentages should not be added together, since persons with a self-care difficulty are generally a subset of those with an independent living difficulty and therefore would be double-counted. The broadest measure is provided by independent living difficulty.

Census definitions for independent living difficulty², self care difficulty³ and counties¹ and places² is contained within the technical notes⁶.

Race. There is a large (96.5%) white majority in this rural county. Though this represents a 1.8% increase in diversity from the 2000 Census, interaction between races is still statistically minimal.

Disability. According to the American Community Survey disability prevalence data shown above, Clinton County's percentages of persons with an independent living difficulty are: for ages 18-64,

3%, and for ages 65 and up, 15.5%. According to the 2010 Census Profile, the majority of our general population resides in households (93.3%) rather than in managed group quarters or institutions.

Age. Seniors (age 65 and older) make up 16.2% of Clinton County’s population, or 6236 people in all (2010). Housing discrimination against this population on the basis of age *alone* seems unlikely, but the percentage of seniors who also have “some independent living difficulty” is 15.5%, or 967 people. This number represents 2.5% of the total population.

Nativity and Place of Birth. According to the Three-Year Profile for Clinton County compiled by the American Community Survey for 2005-2009, 2% of residents reported that they are foreign born. Therefore, interaction between native-born and foreign born persons is statistically minimal.

Religion. The compilation below is of 2009 statistics for the religious makeup of Clinton County taken from individual GIS data maps provided at the website of the Association of Religion Data Archives (<http://thearda.com>). NOTE: The data depict congregational membership and do not include respondents who reported no religious participation.

Denomination	Percentage of Population
Evangelical Protestant	30-40
Mainline Protestant	40-60
Historically Black Protestant	<1
Roman Catholic	10-15
Jewish	<1
Mormon	1-5
Islamic	1-3
Hindu	<1
Buddhist	<1
Orthodox Christian	<1
Jehovah’s Witness	<1
Other	1-5

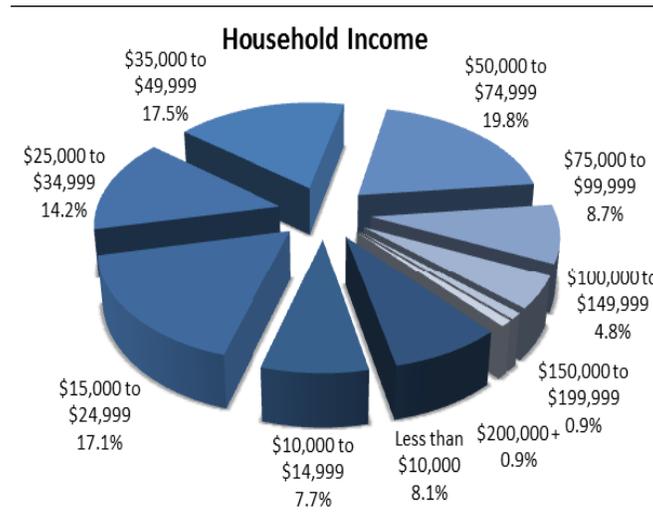
As the table shows, there is religious diversity within the county, but more than 80% of practitioners are members of a Christian denomination.

PART II - ECONOMIC FACTORS

Since barriers to fair housing might also exist based on affordability factors, it is important to assess the economic strength, or buying power, of county residents. Income levels, employment opportunity, and cost of living all play a role.

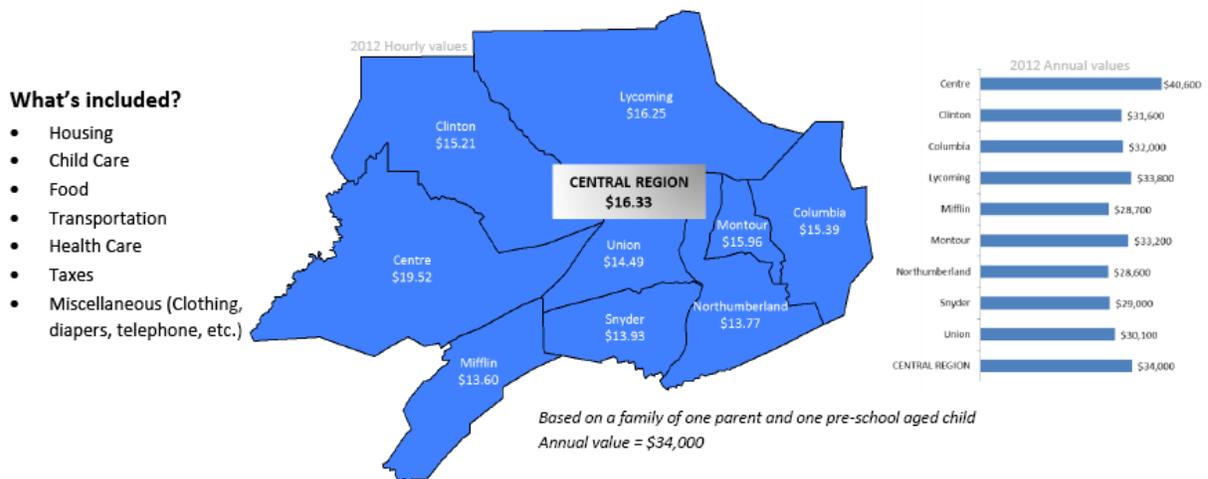
The following chart of household income was compiled by Central Pennsylvania Workforce Development Corporation for 2011. The graphic below it shows the basic income need for self-sufficiency in Clinton County in 2011, which was \$31,600 per year for a family of two. Combining factors in the two charts leads to the assumption that, depending on family size, nearly 50% of

county households might not have incomes high enough for self-sufficiency. Recalling, however, that the County is home to Lock Haven University, which has a student population of 5500 (around 13% of our population), and that college students are automatically classified as low income (the bottom three wedges in the pie chart), it would be more accurate to state that around 35% of our permanent households might have a problem with self-sufficiency.



Self-Sufficiency in the Central Region

The Self-Sufficiency Standard measures how much income a family of a certain composition in a given place needs to adequately meet their basic needs—without public or private assistance. – *PathwaysPA*



According to the U.S Department of Labor, Bureau of Labor Statistics (www.bls.gov), Clinton County's unemployment rate in December 2012 was 8.7%, which is higher than the state rate of 7.9%. The 2009 American Community Survey results pegged the poverty rate in Clinton County at 16.3%. (Source, Pennsylvania Data Center.)

PART III: ASSESSING HOUSING AFFORDABILITY

According to a 2012 year-end data release from the Pennsylvania Realtors Association, the average prices of single family homes sold in Clinton County over three years is as follows:

	Average Cost	Number of Homes Sold
2010	\$110,582	405
2011	\$125,584	405
2012	\$125,282	417

A rule of thumb for home purchase affordability is that the mortgage payment should comprise no more than one week’s gross salary (household income). A mortgage for \$125,000 financed over 30 years at today’s 4% interest rate, with a 10% downpayment, would result in a monthly mortgage of \$537 plus insurance and taxes. This roughly equates to the self-sufficiency standard projected by CPWDC of \$15.21/hour (608.40/week; \$31,636 per year). As above, after discounting the Lock Haven University students who skew the figures to the low side, about 35% of county households might experience a problem making a home purchase at today’s prices.

NOTE: The national median home price as of September 2012 was \$183,900.

PART IV: ASSESSING HOMELESSNESS

If eliminating barriers to fair housing is the objective, understanding the numbers and needs of the homeless is paramount. A three-year study of Unsheltered Point-in-Time Counts shows that Clinton County currently ranks second highest in the Central Region for unsheltered individuals, with 15 counties reporting. In 2011, there was one homeless individual served. In 2012, there were 21, and at the end of 2012, 51 families had requested assistance from the Clinton County Housing Authority, but remained on the waiting list, forced to temporarily bunk with friends and family. As of March 2013, 26 people have received homeless services (either Homelessness Prevention services or physical shelter) before the close of the first quarter. The 2011 figure is low because no homeless facility existed in the county during 2011. (Source: Clinton County Housing Coalition)

PART V: ASSESSING CURRENT HOUSING CAPACITY

Owner-occupied vs. rental housing. According to the Census Profile shown on Page 1, owner-occupied housing units comprise 70.9% of our total housing stock, at 10,745 units. The total number of residents living in rental units is 9,778. In the Census Profile, the student population of Lock Haven University is represented in the classification “Non-family households.” Subtracting this group leaves 4493 renters among our permanent residents: less than 11.5% of the total population.

Seasonal housing. Because large tracts of Clinton County consist of public land, including game lands, state forests, and parks, we have a larger-than-average proportion of seasonal dwellings and camps in and around all of our municipalities. These comprise 15% of our total housing stock.

Housing Authority managed units. The Clinton County Housing Authority manages 457 public housing units for eligible low-income families, the elderly, and people with disabilities. They range in type from scattered single-family houses to garden apartments to high-rise apartment towers.

The Authority also manages eight non-dwelling buildings, including an administration center and three community centers.

Independently owned housing program units. There are eight additional multi-unit residences for seniors, low-income families, and people with disabilities in the County, all of which are primarily funded with public contracts or tax credit programs. These have an aggregate capacity of 402 units. (Source: Pennsylvania Housing Finance Agency Rental Housing Program.)

Personal Care Homes. Clinton County has four licensed, for-profit personal care homes with an aggregate capacity of 172 individuals. (Source: PA Department of Public Welfare online provider directory, March 2013)

Shelters and transitional housing facilities. Clinton County has two shelter facilities. The Clinton County Housing Coalition opened the LIFE Center in February 2013. This has a capacity of 14 people, and accepts families with children, single men, or single women with children who agree to participate in a variety of activities that facilitate the transition to permanent housing. This is not a traditional homeless shelter in that it does not serve the chronically homeless. Budgeting skills, life management counseling, substance abuse counseling, and/or occupational assistance are all part of the housing package.

The Clinton County Women's Center operates the Hilton SAFE house, a secure shelter for women, (with or without children) seeking refuge from domestic or sexual abuse situations. It has a capacity of 17 people and services include options/empowerment counseling, medical and legal advocacy, victim support groups, and emergency hotlines.

Senior-only housing. In May 2013, the Commissioners undertook a study of current senior housing capacity. Results showed that all the above-mentioned facilities offering housing options for seniors were at full capacity and had waiting lists. The total number of seniors on waiting lists for housing as of May 30 was 171. Lengths of waiting periods for admission to these facilities range from six months to two years, and in most cases, openings only become available due to a death. The preliminary conclusion of this study is that there is a need for more senior housing, particularly as the baby boom generation ages over the next 5 to 30 years. (Source: STEP Planning Director Rachelle Abbott conducted the study for presentation to the Commissioners.)

PART VI: ASSESSING FAIR HOUSING PRACTICES OF COUNTY REALTORS

It is compulsory for realtors licensed in Clinton County to hold a membership in the Pennsylvania Realtor's Association and the National Association of Realtors. As such, they have all adopted the Model Affirmative Fair Housing Marketing Plan of the national association, and certify that they will adhere to its principles. There are 27 licensed realtors operating in Clinton County.

PART VII: FAIR HOUSING GOALS

Clinton County is committed to making housing opportunities fair and accessible to all groups, and assuring an adequate supply of affordable housing for Low-to-Moderate income families. The County's goals are:

- Provide assistance to LMI prospective homebuyers to purchase single-family homes

- Encourage development of owner-occupied single family housing units in proportion to demand
- Support rehabilitation of single-family owner-occupied housing units
- Ensure that affordable rental remains available in proportion to need
- Ensure that shelter and homelessness preventions services remain available in proportion to need
- Ensure that fair housing practices remain in place by prompt response to any complaints received and periodic review of housing programs

PART VIII: EXISTING HOUSING PROGRAMS

- First Time Homebuyers – Closing Cost Assistance Program. Through its Affordable Housing Program, Clinton County provides first time homebuyers with closing cost assistance. The objective is to increase homeownership by overcoming the cost obstacles faced by LMI families when purchasing their first home. Families with incomes below 80% of the area median are eligible. Assistance is provided in the form of an interest-free loan in an amount sufficient to cover normal closing costs and not to exceed \$2,500.
- Homeowner-Occupied Home Rehabilitations. The County has periodically used CDBG and HOME funding over the years for home rehabilitations undertaken on an income-eligibility basis. The work is performed by our program subrecipient, the Clinton-Lycoming Action Agency, STEP, Inc.
- Homelessness Prevention and Rapid Re-housing. The County participated in DCED’s HPRP program from 2009 through 2012, and the program was managed by our subrecipient, STEP, Inc.
- Emergency Solutions Grant. The County has administered ESG construction grants on behalf of the Women’s Center and operations grants on behalf of Horizon House, our former homeless shelter. It is our intent to apply for this funding on behalf of LIFE Center in the next cycle.
- Fair Housing Officer. At the time it first became a requirement of the CDBG program, the county named a Fair Housing Officer (the Planning Director) as the public contact for anyone having a grievance or concern regarding fair housing processes. In his 15 years of tenure as FHO, he has received only three complaints, and none of these pertained to fairness issues. Rather, they were about property condition or livability issues. There has never been a complaint referred to Clinton County from the Philadelphia Fair Housing and Equal Opportunity Center.

CONCLUSION

The demographics of Clinton County do not show conditions that are highly conducive to discrimination, mainly because there is a statistically small intermixture of races, ethnicities, and religions. Need groups such as disabled adults and seniors with living assistance issues are also comparatively small. Economic conditions for permanent-resident households show some instability, with as many as 35% of families potentially requiring some kind of assistance to meet basic needs.

Established capacities and programs of the County, the County Housing Authority, the County Housing Coalition, the Clinton County Women’s Center, and various private providers are successful at preventing barriers to fair housing. The opening of the LIFE Center this year should address the

capacity issues highlighted in our Unsheltered Count reports. Should future capacity issues or unfair housing situations arise, avenues for redress are in place and publicly accessible.

The single-family home sales price increase, noted above, between 2010 and 2011 can be attributed to increased housing demand tied to the influx of shale gas drilling companies and their employees. Pricing held steady for 2012, and requests for new well-drilling permits in County territory have tapered off with the drop in the price of natural gas. The amount of gas drilling within our borders can be considered an indicator for forecasting housing demand, and should be watched.

FAIR HOUSING ACTION STEPS

Under CDBG and HOME, Clinton County undertakes Owner-Occupied Home Rehabilitations. Since all of these are on single-unit properties that do not use the services of a real estate rental agent, they are exempt from the Fair Housing Act. Nevertheless, for CDBG program compliance the County has undertaken the following action steps.

1. We post, distribute and publish our Fair Housing Notice (see Exhibit) on an annual basis, in conjunction with the process of preparing our CDBG program application.
2. We have designated the Planning Director as the Fair Housing Officer, and have made his contact information publicly available on the County website and in our CDBG program advertising.
3. We have identified the HUD's FHEO Center as the higher commission citizens may seek out when they have complaints about Clinton County's Fair Housing procedures.
4. We provide equal access to all of our housing programs, such as the Closing Cost Assistance Program, the STEP Homes in Need Program (owner-occupied home rehabilitations funded in part by CDBG and HOME)
5. We have repeatedly supported, and still plan to support, our two homeless shelters by administering CDBG, ESG, PHARE, and HAP funding on their behalf.
6. County Commissioners or staff members regularly attend board meetings of the Clinton County Housing Coalition, the primary housing advocacy group in the region. We participate in their assessment of housing needs, and keep abreast of the planning of future projects.
7. In cooperation with the Clinton County Housing Authority and the City of Lock Haven, Clinton County is co-sponsoring a Fair Housing Training aimed at multi-unit landlords and their staff. National Fair Housing consultant A.J. Johnson is contracted to conduct this day-long training on October 30, 2013. STEP, Inc. has agreed to assist in the promotion of this event and its housing staff will be in attendance.

FAIR HOUSING CONTACTS:

Clinton County Fair Housing Officer (for in-county discrimination complaints)
Tim Holladay, Planning Director
232 East Main St.,
Lock Haven, PA 17745
(570) 893-4080

HUD Philadelphia FHEO Center (for discrimination complaints against county government)
100 Penn Square East, 12th Floor
Philadelphia, PA 19107
(888) 799-2085

Clinton County CDBG
PROGRAM INTEGRITY POLICY

As a recipient of Community Development Block Grant (CDBG) funds through the Pennsylvania Department of Community and Economic Development (PA DCED), the Clinton County Board of Commissioners, in accordance with contract integrity provisions, hereby implements the following:

- A. Clinton County shall maintain the highest standards of honesty and integrity and shall take no action in violation of state or federal laws or regulations or any other applicable laws or regulations, or other requirements applicable to Clinton County or that govern contracting with the Commonwealth.
- B. Clinton County, its affiliates, agents, and employees shall not influence, or attempt to influence, any Commonwealth employee to breach the standards of ethical conduct for Commonwealth employees set forth in the Public Official and Employees Ethics Act, 65 PA.C.S. §§1101 et seq.; the State Adverse Interest Act, 71 P.S. §7.151 et seq., or to breach any other state or federal law or regulation.
- C. Clinton County, its affiliates, agents, and employees shall not offer, give, or agree or promise to give any gratuity to a Commonwealth official or employee, or to any other person at the direction or request of any Commonwealth official or employee.
- D. Clinton County, its affiliates, agents, and employees shall not offer, give, or agree or promise to give any gratuity to a Commonwealth official or employee, or to any other person, the acceptance of which would violate the Governor's Code of Conduct, Executive Order 1980-18, 4 Pa. Code §7.151 et seq. or any statute, regulation, statement of policy, management directive, or any other published standard of the Commonwealth.
- E. Clinton County, its affiliates, agents, and employees shall not, directly or indirectly, offer, convey, or agree to convey any pecuniary benefit on anyone as consideration for the decision, opinion, recommendation, vote, other exercise of discretion, or violation of a known legal duty by any Commonwealth official or employee.
- F. Clinton County, its affiliates, agents, employees, or anyone in privity with him or her, shall not accept or agree to accept from any person, any gratuity in connection with the performance of work under the Pennsylvania Department of Community and Economic Development Community Development Block Grant contract, except as provided in the contract.
- G. Clinton County shall not have a financial interest in any other contractor, subcontractor, or supplier providing services, labor, or material for any Community Development Block Grant funded project, unless the financial interest is disclosed to the Commonwealth in writing and the Commonwealth consents to the county's financial interest. Clinton County shall disclose the financial interest to the Commonwealth as soon as any such interest is identified.

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- H. Clinton County, its affiliates, agents, and employees shall not disclose to others any information, documents, reports, data, or records provided to, or prepared by, Clinton County under this contract without the prior written approval of the Commonwealth, except as required by the *Pennsylvania Right-to-Know Law, 65 P.S. §§67.101-3104*, or other applicable law or as otherwise provided in the Pennsylvania Department of Community and Economic Development Community Development Block Grant contract. Any information, documents, reports, data, or records secured by Clinton County from the Commonwealth or a third party in connection with the performance of this contract shall be kept confidential unless disclosure of such information is:
1. Approved in writing by the Commonwealth prior to its disclosure; or
 2. Directed by a court or other tribunal of competent jurisdiction unless the contract requires prior Commonwealth approval; or
 3. Required for compliance with federal or state securities laws or the requirements of national securities exchanges; or
 4. Necessary for purposes of Clinton County's internal assessment and review; or
 5. Deemed necessary by Clinton County in any action to enforce the provisions of this contract or to defend or prosecute claims by or against parties other than the Commonwealth; or
 6. Permitted by the valid authorization of a third party to whom the information, documents, reports, data, or records pertain: or
 7. Otherwise required by law.
- I. At any time Clinton County has reason to believe that any breach of ethical standards as set forth in law, the Governor's Code of Conduct, or in these provisions has occurred or may occur, including but not limited to contact by a Commonwealth officer or employee which, if acted upon, would violate such ethical standards, Clinton County shall notify the Commonwealth contracting officer or Commonwealth Inspector General in writing.
- J. For purposes of these Clinton County Integrity Provisions, the following terms shall have the following meanings.
1. "Confidential Information" means information that a) is not already in the public domain; b) is not available to the public upon request; c) is not or does not become generally known to Clinton County from a third party without an obligation to maintain its confidentiality; d) has not become generally known to the public through an act or omission of Clinton County; or e) has not been independently developed by Clinton County without the use of confidential information of the Commonwealth.

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2. "Consent" means written permission signed by a duly authorized officer or employee of the Commonwealth, provided that where the material facts have been disclosed, in writing, by pre-qualification, bid, proposal, or contractual terms, the Commonwealth shall be deemed to have consented by virtue of execution of this contract.
 3. "Financial Interest" means:
 - (a) Ownership of more than a five percent interest in any business; or
 - (b) Holding a position as an officer, director, trustee, partner, employee, or holding any position of management.
 4. "Gratuity" means tendering, giving, or providing anything of more than nominal monetary value, including, but not limited to, cash, travel, entertainment, gifts, meals, lodging, loans, subscriptions, advances, deposits of money, services, employment, or contracts of any kind. The exceptions set forth in the Governor's Code of Conduct, Executive Order 19080-18, the 4 Pa. Code §7.153(b), shall apply.
 5. "Immediate Family" means a spouse and any unemancipated child.
 6. "Non-bid Basis" means a contract awarded or executed by the Commonwealth without seeking bids or proposals from any other potential bidder or offeror.
 7. "Political Contribution" means any payment, gift, subscription, assessment, contract, payment for services, dues, loan, forbearance, advance, or deposit of money or any valuable thing, to a candidate for public office or to a political committee, including but not limited to a political action committee made for the purpose of influencing any election in the Commonwealth of Pennsylvania or for paying debts incurred by or for a candidate or committee before or after any election.

Clinton County CDBG
MBE-WBE ACTION PLAN

Policy Statement

It is the public policy of the Clinton County Commissioners to promote the opportunity for full participation by minority and women's business enterprises ("MBEs" and "WBEs") in all housing and community development programs receiving funds from the Pennsylvania Department of Community and Economic Development. Clinton County fulfills this policy in the following ways:

1. Designates the Grants Administrator in the Planning Department as the MBE-WBE Compliance Officer for the County. The Grants Administrator takes responsibility for administering the CDBG program in compliance with federal MBE-WBE policy.
2. Performs outreach to MBE-WBE firms to provide them with fair access to CDBG projects funded in excess of \$25,000. This is a good faith, comprehensive and continuing effort utilizing all available public and private local resources.
3. The MBE-WBE Compliance Officer monitors and supervises CDBG contractors for compliance to MBE-WBE policy on projects funded in excess of \$25,000.
4. The MBE-WBE Compliance Officer documents the County's compliance efforts for the public record.

PROCEDURES - INVITATIONS FOR BIDS (IFB) OR REQUEST FOR PROPOSALS (RFP)

A. Advertisement - IFB Only

All invitations to bid will include the following information: "The bidders/offerors must submit documentary evidence of minority and women business enterprises who have been contacted and to whom commitments have been made. Documentation of such solicitations and commitments shall be submitted concurrently with the bid."

B. Notification of MBE/WBE - IFB and RFP

The procedure for Clinton County to notify the minority/women business community of contract opportunities is as follows:

1. Notice of Invitation for Bid or Request for Proposals - A listing will be developed utilizing the search engine at the Department of General Services, Bureau of Contract Administration and Business Development (<http://www.dgsweb.state.pa.us/mbewbe/Vendorsearch.aspx>) and/or lists from agencies such as SEDA-COG that cover our geographical region. The County will ensure that searches are for firms within its market area and for the type of firms that may be utilized in the particular contract for which bids are being requested. A copy of the Notice of Invitation for Bids or Requests for Proposals will then be sent to all MBE\WBE firms listed.
2. Other Notices - Notices are to be sent to the following organizations: (as appropriate)
 - Local Minority Churches and Organizations
 - Appropriate Minority/Women Contractor Associations
 - Appropriate Minority/Women Trade Organizations

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3. Plans and Specifications - Plans and Specifications or Invitations for Bids on all projects will be made available to minority/women contractor associations and trade organizations.
 4. List of Planholders - The names of bidders/offerors who have obtained bid documents will be made available to minority/women businesses upon request.
 5. List of Minority/Women Businesses - Each bidder/offeror obtaining plans and specifications or requests for proposals for projects will be provided our list of minority/women businesses to be used in soliciting subcontract bids and for materials and services.

**PARTICIPATION REQUIREMENTS FOR MINORITY/WOMEN BUSINESS ENTERPRISES
(MBE\WBE)**

Construction Contracts (IFBs) greater than \$25,000

Clinton County has established minimum levels of participation for minority and women business enterprises (MBE/WBE) for each project in each bid category to be used solely as a guide in determining bidder responsibility. The minimum participation level for MBEs is 5% and for WBEs is 3%.

The following items will be placed in all bid documents:

1. Participation Level
 - a. Clinton County has established Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) minimum participation levels (MPLs) of five percent for MBE and three percent for WBE of the dollar amount of the bid for this contract.
 - b. These MPLs serve exclusively as a threshold in determining bidder responsibility. A bidder will not be rejected as not responsible solely because it fails to reach the MPLs. To determine the participation level, which has been reached, a bidder may divide the total dollar amount of the commitments by the total dollar amount of the bidder's bid.
 - c. A firm which is both an MBE and a WBE will only receive credit toward MPLs as either an MBE or WBE, but not both. Bidders must indicate on Form DCED-CCD-286, MBE/WBE Contact/Solicitation and Commitment Statement whether the firm is being listed as either an MBE or a WBE.
 - d. An MBE/WBE firm who is the prime bidder on a project will receive no MPL credit for its own work effort for services provided. MBE/WBE bidding as prime bidder must solicit other certified MBEs/WBEs participation for material and/or supplies.
 - e. MBE/WBE subcontractors must perform at least 75 percent of the cost of the subcontract, not including the cost of materials, with its own employees.
2. Responsiveness
 - a. Bidders must complete and submit Form DCED-CCD-286 with the bid. Failure to submit this form with the bid will result in the bid being rejected as nonresponsive.
 - b. A bidder should only solicit MBE/WBE subcontractors, vendors, manufacturers, or suppliers whose services, material, or supplies are within the scope of work and which the bidder reasonably believes it will choose to subcontract with or purchase from.
 - c. Bidders failing to meet the minimum levels of participation must submit concurrently with the bid, an explanation of why the MPLs have not been met. This explanation must demonstrate that the bidder has not engaged in discriminatory practices in solicitation and utilization of MBEs/WBEs contained on the solicitation list provided by the County to perform as subcontractors or suppliers of goods and services related to the

performance of the contract. The evidence submitted by the bidder must demonstrate the following:

(1) Indicate whether MBEs/WBEs were solicited for each type of work the bidder expects to subcontract for and for all materials which the bidder expects to procure and, if not, the reason(s) why no such solicitation was made;

(2) Indicate the reason why an MBE/WBE has not been committed to for a type of subcontract work or materials in any area where a quote was received from a MBE/WBE, and;

(3) In any case where no quotations are received nor commitments made to MBE or WBE firms, indicate on Form DCED-CCD-286 that no quotes were received, and if there is another reason for no commitments being made, the reason for the lack of commitments.

d. If the bidder fails to submit such evidence, the bid submission shall be considered nonresponsive and the bid rejected.

e. Information related to the above may be submitted on Form DCED-CCD-286 or on additional paper.

3. Responsibility

a. The submittals of each bidder are subject to review to determine whether the bidder has discriminated in the selection of manufacturers, subcontractors and suppliers. If a bidder has met the MPLs for MBE/WBE participation, the bidder will be presumed not to have discriminated in their selections. Where the MPLs are not met, Clinton County will determine whether discrimination has occurred. If, after investigation including a review of Form DCED-CCD-286, it is found that discrimination has occurred, the reviewed bidder shall thereby be deemed to be not responsible and the bid will be rejected.

b. Documentation submitted by the bidder should meet the following standards for review:

(1) The bidder whose actions resulted in a limited or no commitment to MBEs/WBEs was not motivated by consideration of race or gender.

(2) MBEs/WBEs were not treated less favorably than other businesses in the contract solicitation and commitment process.

(3) Solicitation and commitment decisions were not based upon policies which disparately affect MBEs/WBEs.

c. Commitments to MBE and WBE firms made at the time of bidding must be maintained throughout the term of the contract, unless a change in commitment to these firms is preapproved by Clinton County.

4. Access to Information

Clinton County may obtain documents and information from any bidder, contractor, subcontractor, supplier, or manufacturer that may be required in order to ascertain bidder or contractor responsibility. Failure to provide requested information may result in the contractor being declared not responsible.

PROCEDURES - CONTRACTOR COMPLIANCE PROCESS

Contract Provisions

The following provisions will be included in construction and/or professional service contracts:

1. The prime contractor must provide Clinton County with a report of MBE/WBE subcontracting activity on a quarterly or per project basis, whichever is sooner. The report

shall reflect the names of and the total dollar amount paid to all MBE/WBE subcontractors (including suppliers) utilized under this contract.

2. MBE/WBE Subcontractors must provide Clinton County with a report reflecting the prime contractors who have purchased their services and/or supplies on a quarterly basis. The report shall reflect the name of the prime contractor and the total dollar amount invoiced and total dollar amount received for payment.

Grantee Compliance Procedures

1. Clinton County will inform all of its prime and subcontractors of their quarterly or per project reporting requirements.
2. Clinton County will review all reports received from the prime contractor and all subcontractors to determine if the commitments made by the prime contractor in his/her bid are being met. If reports are submitted on a per project basis, this review is to be done prior to final payment being made to the contractor and/or subcontractor.

Records and Reports

The contractor will keep such records as are necessary to determine compliance with its minority and women business enterprise commitments. These records must be in sufficient detail to indicate the number of minority and women businesses, the contract work performed, and the percentage of minority and women businesses performing work. Additionally, the contractor is required to maintain an open file for a specified period, during which time the contract compliance person may make periodic reviews of records pertaining to relevant contracts.

CLINTON COUNTY CDBG
PROGRAM INCOME REUTILIZATION PLAN

Program Income under the Community Development Block Grant (CDBG) Program is defined as any gross income received by a grantee, or its recipient, directly generated by the use of CDBG funds. Clinton County is a CDBG Entitlement recipient under the State's Program and has potential to realize such income. Accordingly, Clinton County hereby adopts the following Program Income Reutilization Plan. This Plan shall pertain to all Program Income generated by the County or by any of its subrecipients, unless a separate agreement is developed for that subrecipient:

- 1) Program Income will be reviewed, not less than annually, through a public participation process including a formal media notice, a public hearing, and formal action at a public meeting identifying the total Program Income, the activity to which the Program Income is being committed, and the Federal Fiscal Year contract to which it is being assigned.
- 2) All activities for which Program Income is to be utilized shall comply with 24 CFR Part 570, meeting the federal guidelines for both eligibility and one of the three national objectives.
- 3) Clinton County may set aside up to 18% of identified CDBG Program Income for the purposes of administration and planning.
- 4) Program Income designated to a project shall be applied to costs associated with that project before other Community Development Block Grant Entitlement funds are drawn down for the purposes of said project activity.
- 5) Program Income shall be reported in all audits and reports prepared and/or released by Clinton County.
- 6) Program Income shall be reported to DCED in accordance with their reporting requirements or not less than annually.