

The regular meeting of the Mayor and Town Council was held on November 6, 2017 at 5:00 pm in the City Hall building with the following present:

Town Manager: Anna Payne
Attorney: Mack Cowan
Cherokee Scout: Matthew Osborne

Mayor: William N. Hughes
Council: Frank Dickey David Hilton
Sandy Sumpter Barry McClure
Karen Watson

Mayor Hughes called for a motion to approve the minutes of the last meeting. David Hilton made the motion to approve the minutes of the meetings. Karen Watson seconded the motion. Motion carried.

Barry McClure, duly seconded by Frank Dickey, made the motion to approve water and sewer releases totaling \$1765.39. Motion carried.

Barry McClure, duly seconded by Frank Dickey, made the motion to approve the following tax releases. Motion carried.

Acc# 2435 GE Equipment Small Ticket, LLC. Per CC Double Billed Total \$19.67

Barry McClure made the motion to approve the Chamber of Commerce dues in the amount of \$500.00, seconded by David Hilton. Motion carried.

Eddie Sylvester attended the meeting to check the status of the Bike Trails MOU. Frank Dickey made the motion to approve the MOU. Sandy Sumpter seconded the motion. Motion carried.

Holly Turner submitted a clean audit report for the town. She requested the 2018 audit contract in the amount of \$28,700.00 be approved. Frank Dickey made the motion to approve the contract. David Hilton seconded the motion. Motion carried.

Chairman of the Zoning Board Carl Auvil requested Blake Hughes be appointed to the Zoning Board. Barry McClure made the motion to approve the request, Karen Watson seconded the motion. Motion carried.

David Hilton, duly seconded by Barry McClure, made the motion to approve the following resolution. Motion carried.

**TOWN OF MURPHY
COMMUNITY DEVELOPMENT PROGRAM
OPTIONAL COVERAGE RELOCATION PLAN RESOLUTION**

A Resolution Authorizing the Adoption of an Optional Coverage Relocation Plan for the Town of Murphy's Community Development Block Grant Program.

Be it Resolved by the Board of Commissioners of the Town of Murphy North Carolina, That:

WHEREAS, The Town of Murphy is participating in the Community Development Block Grant Program under the Housing and Community Development Act of 1974, as amended, administered by the North Carolina Department of Environmental Quality;

WHEREAS, the relocation of individuals and families is an eligible activity under this Program;

WHEREAS, the Town of Murphy, has been allocated funds under Title I of the Housing and Community Development act of 1974; and

WHEREAS, it is the objective, spirit and intent of the Community Development Block Grant to achieve the revitalization of neighborhoods through improvements of housing conditions for low and moderate income citizens; and

WHEREAS, the rehabilitation of some dwelling units is to extensive that the work cannot be accomplished without temporarily dislocating the residents from their properties; and

WHEREAS, some occupied dwelling units are unfit for human habitation, financially, and structurally not feasible for rehabilitation, and require demolition; and

WHEREAS, it is often undesirable to permanently dislocate some residents from their properties, change their status from homeowners to tenants, or increase their financial burden for housing costs; and

WHEREAS, Section 105(a)(11) of the Housing and Community Development Act of 1974, as amended, permits a CDBG grantee to design and administer an "Optional Coverage" relocation program which can provide benefits to displaces of dilapidated units which are subject to removal through local code enforcement activities (without real property acquisition), voluntary demolition or provide assistance to residents that are temporarily dislocated from their properties; and

WHEREAS, such relocation benefits must be utilized by the qualified recipient to obtain standard housing, cover moving and related costs for those individuals displaced by grant activities; and

WHEREAS, an Optional Coverage Relocation Plan has been prepared by the Town and has been reviewed by the Board of Commissioners of the Town of Murphy; and

WHEREAS, it is the desire of the Town to foster such worthy objectives with the Community Development Block Grant Program.

THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Town of Murphy, North Carolina hereby adopt the attached policy of Optional Coverage Relocation Plan, as set forth in Section 105(a)911) of the Housing and Community Development Act of 1974, as amended. Such plan is to cover any and all financial obligations incurred during any necessary relocation of affected citizens.

Adopted this 6th day of November , 2017.

(signed) William N. Hughes
Mayor Town of Murphy

ATTEST: (signed) Anna A. Payne
Clerk to the Board

David Hilton, duly seconded by Barry McClure, made the motion to approve the following relocation program. Motion carried.

OPTIONAL COVERAGE RELOCATION PLAN
COMMUNITY DEVELOPMENT PROGRAM

Organization and Administration

The Town of Murphy Community Development Block Grant Program (hereinafter called "Town") will administer and coordinate all relocation activities (temporary or permanent) resulting from Community Development Block Grant activities. Citizens displaced by Community Development Block Grant Program activities are eligible to receive relocation assistance. The financial assistance is in a form as permitted under implementing regulations at 49 CFR Part 24 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

Definition of a "Displaced Person"

A displaced individual is someone whose home, which is located within the Community Development Block Grant Activity Area, is determined to be in a condition too dilapidated to be economically feasible to rehabilitate and will

be demolished. This can also include a person temporarily displaced as a result of program activities such as housing rehabilitation.

Definition of “Standard Housing”

A dwelling unit is in standard condition if it is decent, safe, and sanitary. A dwelling unit is considered decent, safe, and sanitary if (a) it is in good repair and is weather tight, with no leakage nor dampness; (b) it has no health, fire nor safety hazards within the structure or in the immediate vicinity; (c) it has running water, a private sewer-connected to a flush toilet, and a bathroom for exclusive use of the occupant, with tub or shower with hot and cold running water, all within the dwelling unit; (d) it has permanent, reasonably efficient kitchen facilities for exclusive use of the occupant, including sink with hot and cold running water, cooking stove connections, shelves and storage space for food and utensils; (e) it has facilities or connections for washing and drying clothes; (f) it is large enough to accommodate the occupants without overcrowding; (g) it is equipped with adequate heating facilities; (h) it is adequately ventilated by at least one operable window in every room and is screened, or screens are available; (i) it is wired for electricity; and (j) it is located in a neighborhood which is free from industrial and other nuisances, is supplied with the community facilities of a standard neighborhood, and is reasonably accessible to transportation, school, churches and stores.

It is intended that all dwellings into which displaced families relocate will be inspected by the Town. If the dwellings are not found to be decent, safe and sanitary, the move will be considered temporary relocation.

Optional Coverage for the Town of Murphy North Carolina

The Town of Murphy Community Development Block Grant Program shall undertake relocation that may not be covered automatically under the URA such as would be the case with voluntary demolition. The Town intends for these persons to be served at the same levels as those described under the URA and will use this Optional Coverage Relocation Plan to establish this coverage. Under this Plan, the Town of Murphy shall provide relocation payments and assistance to the following:

1. Homeowners and their families who are displaced by rehabilitation activity of a dwelling located within the Community Development Block Grant Area.
2. Homeowners and their families who are displaced by the voluntary demolition of a dwelling occupied by the families and located within the Community Development Block Grant Area.

Relocation Assistance to Families and Individuals

The Town shall provide relocation planning, advisory and coordination services consistent with those described in Section 24.205 of the URA. These shall include, but not be limited to, the provision of transportation services as needed to view comparable replacement dwellings, or other transportation as deemed necessary and reasonable to support the relocation, assistance in submitting claims for payment, counseling and education on relocation regulations and coordinating these activities with existing social service and economic assistance programs as they are available.

Temporary Relocation

Rehabilitation shall be conducted without relocation of the affected occupants to the greatest extent feasible. Should relocation be necessary and should available temporary housing be substandard by the above definition, the minimum standards set forth shall not apply. Such relocation shall be accomplished at the minimum feasible cost. Of the two moves involved, (out of and back into the rehabilitated structure) one may be financed under a Fixed Payment for Moving Expenses as described below. Temporary relocation payments will be limited to cover only those expenses that would not otherwise be normal to the relocate. That is to say, expenses that are directly related to the temporary relocation and which are above and beyond the normal expenses incurred by the relocate. These would include, but not be limited to reasonable expenses for lodging for the period of dislocation, travel expenses to and from the lodging or other temporary relocation site, costs for temporary storage of household belongings. This

would not include reimbursement for expenses that would otherwise be incurred meals, normal travel, etc.). Relocates are required to submit receipts to the Town documenting the expenses for which they are requesting reimbursement.

Moving Expense Payment

A displaced individual or family covered under this Plan shall be eligible to receive a moving expense payment in accordance with the following sections of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). Specifically referenced is the following section of the URA:

1. Section 24.302 – Fixed payment for moving expenses – residential moves.

The relocate will receive payment on the basis of the moving expense schedule (Fixed Rate Method) which is prepared by the U.S. Department of Transportation and shown below for the State of North Carolina.

Occupant Owns Furniture Number of Rooms of Furniture						Occupant Does Not Own Furniture				
1	2	3	4	5	6	7	8	Each Add. Room	First Room	Each Add. Room
250	400	550	650	750	850	950	1050	100	225	35

Under the Fixed Rate Method, it should be noted that certain rooms are excluded from the calculations. These include unfurnished or unused rooms, halls, bathrooms, attics, porches, garages, dressing rooms and utility rooms. However, should the relocate have sufficient storage room in the above stated rooms, the Town may count one additional room for the sum of these, but this is not to exceed one additional room for the calculation of the number of eligible rooms in the dwelling.

Replacement Housing Payment

A displaced individual or family covered under this Plan shall be eligible to receive replacement housing payments in accordance with the following sections of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). Specifically referenced are the following sections of the URA:

1. Section 24.401 – 180 Day Homeowners
2. Section 24.403 – Additional Rules
3. Section 24.404 – Replacement Housing of Last Resort

Complaint Procedure

The Town conforms to standard, ethical practices in the relocation of individuals and families and desires to see that all interests are protected. If there are any questions or complaints, the Town solicits the cooperation of all owners and requests an opportunity to discuss them in an effort to satisfy all parties concerned. The Town has adopted the following Complaint Procedure:

Citizens may make comments at any point in the program including planning, implementation and closeout. The Town will respond in writing to written citizen comments. Citizen comments should be mailed to Anna Payne, Town Manager, Town of Murphy, P.O. Box 130, Murphy, NC 28906. The Town will respond to all written citizen comments within ten (10) calendar days of receipt of the comments.

Should any individual, family, or entity have a complaint concerning the Town of Murphy Community Development Block Grant Program, the complaint should first be discussed with the Project Manager. **ALL EFFORTS SHOULD BE EXHAUSTED TO RESOLVE THE COMPLAINT AT THIS LEVEL.**

If the citizen is dissatisfied with the local response, they may write to the North Carolina Department of Environment and Natural Resources, 1633 Mail Service Center, Raleigh, NC 27699-1933 will respond **only to**

written comments within ten (10) calendar days of the receipt of the comments.

Town of Murphy

By:(signed) William N. Hughes
Mayor

Attest: (signed) Anna A. Payne
Clerk to the Board

Date: November 6, 2017

Date November 6, 2017

David Hilton, duly seconded by Barry McClure, made the motion to approve the following Community Development Program. Motion carried.

CODE OF CONDUCT/HATCH ACT POLICY
COMMUNITY DEVELOPMENT PROGRAM

No employees, officer or agent of the Town shall participate in the selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when the employee, officer, or agent or any member of his immediate family, his or her partner or an organization which employees or is about to employ the above mentioned, has a financial interest in the firm selected for award.

In addition, the Town’s officers, employees or agents will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub agreements except as provided for in G.S. 133-32.

In accordance with the Hatch Act (Public Law 76-252) as amended, the Town will enforce this Act which prevents recipients, local Community Development Block Grant Program officials or other personnel employed by a Community Development Block Grant Program from undertaking certain political activities or from using Community Development Block Grant funds for political activities. In addition, personnel covered under this Act may not be candidates for elected office unless candidacies are nonpartisan.

TOWN OF MURPHY

By: **(Signed) William N. Hughes**
Mayor

Attest: (signed)Anna A. Payne
Clerk to the Board

Date: November 6, 2017

Date: November 6, 2017

Chief Al Lovingood reported that Jessica Orton had requested to join Murphy Volunteer Fire Department.

There being no further business to discuss, the motion to adjourn the meeting at 6:02 p.m. was made by David Hilton and duly seconded by Barry McClure. Motion carried.

ATTEST:

Clerk

Mayor