



**CITY COUNCIL  
AGENDA  
November 10, 2020  
6:30 p.m.**

- 1. Opening of meeting by Mayor Steve Morris.**
- 2. Invocation by Mayor Steve Morris.**
- 3. Amendments and Changes to Agenda.**
- 4. Consent Agenda:**
  - A. Disposition of Minutes of the October 13, 2020 Regular Meeting**
  - B. Tax Collector's Report. (See Pages 4-8)**

**Informational Items:**

- 1.) Monthly Collection Report**
- 2.) Uncollected Taxes as of October 31, 2020**

**Action Items:**

- 1.) Refunds per County Assessor's Office.**
- 2.) Discovery bills added to Tax Scroll.**
- 3.) Releases per County Assessor's Office.**

- 5. Business by Planning Board.**
  - A. Set Public Hearings.**

UDO Text Amendment: Set public hearing for an ordinance to readopt the City Unified Development Ordinance (UDO) with revisions incorporated as required by Part II of S.L. 2019-111 (Senate Bill 355) (See Pages 9-11)
  - B. Hold Public Hearings: (None)**
  - C. Minutes from Various Boards. (Enclosed)**

6. Consideration of a Resolution approving in principle the issuance of not to exceed \$53,500,000 of multifamily housing revenue bonds by the Burlington Housing Authority to finance a portfolio of affordable multifamily housing developments, including Crown Pointe apartments in the City of Rockingham, North Carolina.  
(See Pages 12-17)
7. Consideration of a Resolution to adopt a Title VI Policy for the City of Rockingham to prohibit discrimination in programs, services and activities receiving federal financial assistance. (See Pages 18-26)
8. **Business by City Clerk.**
9. **Business by City Manager.**
10. **Business by City Attorney.**
11. **Items of discussion by City Council Members.**
12. **Business by Mayor**
  - A. Recognition of Proclamation proclaiming November as "Hospice & Palliative Care Month". (See Page 27)
  - B. Recognition of Proclamation issued in Observance of Veteran's Day.  
(See Page 28)
13. **Adjournment.**

**Rockingham, NC**

**City Council Agenda**

**SUPPORT DOCUMENTS**



**UNCOLLECTED TAXES**

<b>YEAR</b>	<b>AMOUNT</b>	<b>Oct-20</b>
2020	2,362,715.10	
2019	11,964.72	
2018	9,365.13	
2017	8,506.13	
2016	6,900.31	
2015	7,342.92	
2014	7,258.41	
2013	8,676.74	
2012	6,476.66	
2011	6,100.78	
2010	5,163.08	
	2,362,715.10	Total Current Year
	77,754.88	Total Past Years
	2,440,469.98	Total All Years





CITY OF ROCKINGHAM  
MONTHLY REFUNDS REGISTER  
OCTOBER 31, 2020

DATE	ACCOUNT	NAME	EXPLANATION	YEAR	AMOUNT	LATE LIST	TAGS	INTEREST	REFUNDED	CHECK #
10/22/20	47093304	DUMAS, JOHN R	VEHICLE TAX REFUND	2020			27.20		27.20	774193
10/22/20	50908172	GRIFFIN NISSAN INC	VEHICLE TAX REFUND	2020			33.62		33.62	77498
10/22/20	50908173	GRIFFIN NISSAN INC	VEHICLE TAX REFUND	2020			33.62		33.62	
10/22/20	53573261	GRIFFIN NISSAN INC	VEHICLE TAX REFUND	2020			55.24		55.24	
10/22/20	53272838	HTE, RACHEL N	VEHICLE TAX REFUND	2020			30.55		30.55	77499
10/22/20	43359644	SANDERS, HARRY W	VEHICLE TAX REFUND	2020			7.17		7.17	77515
10/22/20	46554841	STEPHENS, JAQLYN G	VEHICLE TAX REFUND	2020			35.89		35.89	77517
10/22/20	57133691	WATERS, GLORIA P	VEHICLE TAX REFUND	2020			147.45		147.45	77521
10/26/20	20650301	TAYLOR, AGGIE	OVERPMT UNDER \$1	2020	0.13				0.13	
									0.00	
									0.00	
									0.00	
									0.00	
									0.00	
		TOTALS			\$0.13	\$0.00	\$370.74	\$0.00	\$370.87	



**Staff Report to Planning and Zoning Board**  
**Agenda Item: IV.A**  
**November 3, 2020**

**Issue:**

Consideration of an Ordinance to readopt the City's Unified Development Ordinance with revisions incorporated as required by Part II of S.L. 2019-111 (Senate Bill 355).

**Background:**

In 2019, the NC General Assembly adopted Senate Bill 355 (commonly referred to as "Chapter 160D"), which is the first major recodification and modernization of city and county development regulations since 1905. The new legislation was facilitated by the NC Bar Association with input from numerous entities including the NC League of Municipalities and the NC Homebuilders Association. The new legislation consolidates city and county statutes, reorganizes statutes into a much more logical, coherent document, and incorporates consensus reforms and established legal precedents. Major policy changes were generally avoided to avoid controversy. All city and county land development regulations must be amended to reflect the changes set forth in the new Chapter 160D.

For ease and efficiency, City staff proposes the City's UDO be re-adopted with all revisions incorporated as opposed to processing multiple amendments.

**Staff Comments:**

1. All the proposed changes and revisions generally relate to function, process, and terminology of the various Boards. There are no changes to the uses allowed in each zoning district, no changes to setback requirements, no changes to land development regulations, no changes to sign regulations, landscape regulations, or telecommunication regulations.
2. Articles 1 and 2 of the City's UDO contain the most extensive revisions. Articles 3, 4, 5, 7, 8, 12, 13, and 15, contain generally minor revisions. There are no changes to Articles 6, 9, 10, and 11. Appendices C and E also contain minor changes.
3. Since the UDO is more than 250 pages, City staff will not include a hard copy of the document with the agenda packet. Instead City staff will summarize the changes in this staff report and post a copy of the draft document with revisions highlighted on the City's website for anyone who wants to review it.
4. Multiple sections in the City's UDO have been rewritten/modified with no change in interpretation/application to maintain language consistent with that set forth in Chapter 160D. In most instances, the language from Chapter 160D was incorporated verbatim in the City's UDO. City staff will not attempt to summarize these revisions.
5. All references to specific General Statutes throughout the UDO have been updated to reflect the new corresponding statute in Chapter 160D.
6. Chapter 160D now requires all cities to adopt a comprehensive plan and reasonably maintain it to have zoning regulations. Section 1.07 in the City's UDO has been revised to incorporate this requirement. As a side note - the City has maintained a comprehensive land use plan since 2002 and used such plan as a basis for many of the regulations in the City's UDO - not because it was a requirement, but because it is a sound approach to community planning.

7. Section 1.12 was added to clarify that all development approvals run with the land as opposed to being applicant specific.
8. Regarding Planning Board, Board of Adjustment, and Historic Preservation Board voting, Sections 2.06(E), 2.14(E), and 13.06(E) are amended to add a provision to allow anyone to object to a Board member's participation prior to the hearing or vote on a matter if that member does not recuse himself. The remaining Board members shall rule on the objection by majority vote.
9. Chapter 160D eliminates the terms "conditional uses" and "conditional use permits" and universally uses "special uses" and "special use permits". As a part of the re-adoption, all references to "conditional uses" and "conditional uses permits" are changed to "special uses" and "special use permits" throughout the City's UDO.
10. Chapter 160D establishes that a variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability. This provision was added to the City's UDO in Section 2.33(B)(2).
11. The language set forth in Section 2.39: Evidence as it relates to evidence for quasi-judicial hearings has changed to be consistent with the language set forth in Chapter 160D. However, the changes in language do not materially affect process or function of the Board's activities.
12. The provision for protests to zoning district changes set forth in Section 2.57 of the UDO is deleted. NC General Statutes were amended several years ago (prior to Chapter 160D) to remove authority for the protest petition.
13. A new Section 2.57 is inserted to address requirements for a Plan Consistency Statement and a Statement of Reasonableness. The Plan Consistency Statement must be a part of all zoning text and map amendments. The statement essentially acknowledges that the action is or is not consistent with the City's adopted comprehensive plan. This statement is not subject to judicial review. The Statement of Reasonableness essentially addresses the four criteria previously established in judicial precedent for spot zonings: size and physical conditions of the property; benefits and detriments to the landowner, the neighbors, and surrounding community; the relationship between uses allowed in the current and proposed zones; and why the action is in the public interest.
14. Previous amendments to NCGS established that mailed notice of public hearings for quasi-judicial issues and zoning map amendments be sent to only abutting property owners. The City's UDO requires notice be sent to all property owners located within 200 feet of the affected property. In the revised UDO, City staff has proposed to change the mailed notice requirement to be consistent with NCGS.
15. Chapter 160D establishes that subdivision approval must follow a quasi-judicial process. Therefore, City staff has revised Section 7.03 to change subdivision review/approval authority from the Planning Board to the Board of Adjustment.
16. As authorized in NCGS 160D-1-5, a provision is added to Section 8.04(B) to automatically amend the special flood hazard area overlay district to the most recently adopted Flood Insurance Rate Maps (FIRM). This eliminates the need to adopt new updated maps as they become available in the future.

**Staff Recommendation:**

City staff recommends the Board review the proposed amendments to the City's UDO and recommend approval to the City Council.

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**Planning Board Recommendation:**

The Planning Board reviewed the proposed amendments on November 3, 2020 and recommended unanimously that the City Council readopt the UDO with the amendments incorporated as proposed.

## MEMORANDUM

To: Mayor Steve Morris and City Council Members

From: John R. Massey, Jr., Assistant City Manager

Date: November 2, 2020

Re: Public Hearing and Resolution for Affordable Housing Bond Transaction

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Rockingham Housing Authority (RHA) is involved in an affordable housing bond transaction that will lead to the renovation of 50 units in the Crown Pointe Apartment complex on Cauthen Drive in Rockingham. As part of the process, the Rockingham City Council must hold a public hearing on the issue and adopt the resolution enclosed in the agenda packet. A memo from Eric Pristell with the Banks Law Firm is also included in the agenda packet with details regarding the bond transaction. Mr. Pristell will attend the City Council meeting to answer any questions. Neither the City nor RHA faces any liability in connection with the bond transaction.

City staff recommends the City Council hold the public hearing and adopt the resolution as requested by Rockingham Housing Authority.

## John Massey

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**From:** Eric Pristell <epristell@bankslawfirm.com>  
**Sent:** Tuesday, September 29, 2020 1:03 PM  
**To:** john@gorockingham.com  
**Cc:** monty@gorockingham.com; Chereka Belton  
**Subject:** Crown Pointe Affordable Housing Apartments - Bond Transaction  
**Attachments:** NCHFA Housing Credit-Bond Awards (2020).pdf; BHA - Vitus Portfolio - Rockingham Resolution (EXECUTION COPY) Signed.pdf

Mr. Massey:

My name is Eric Pristell and I am an attorney. I am writing at the direction of Ms. Chereka Belton, Executive Director of the Rockingham Housing Authority. Chereka suggested that I provide you with some background information regarding the above-referenced proposed bond transaction.

I represent the Burlington (NC) Housing Authority in connection with a tax-exempt bond and low-income housing tax credit transaction that will result in the preservation of affordable housing in the City of Rockingham. The main point is that in order for this deal to close by the end of the year, the Rockingham City Council would need to both hold a public hearing and approve the transaction pursuant to the requirements of federal law -- the Internal Revenue Code. Below are some factual background points regarding the transaction and particularly my request:

- The Vitus Group ("Vitus") is a national affordable housing developer based in Seattle, Washington, and this year it purchased a portfolio of 8 affordable housing apartment complexes located in 7 North Carolina cities/towns.
- The apartment complexes are located in the following cities/towns: Asheboro, Burlington, Goldsboro, Greenville, Louisburg, Smithfield and Rockingham.
- The affordable housing apartment complex in Rockingham is named Crown Pointe Apartments and is located in the city at 1253 Cauthen Drive.
- The apartment complex currently consists of 50 affordable housing units.
- Vitus proposes to use low-income housing tax credits and tax-exempt multifamily housing bonds to refinance the acquisition of the property and to renovate it.
- Vitus proposes to spend roughly \$45,000/unit to make substantial interior and exterior renovations, replacing components that are in disrepair – e.g. kitchen and bath remodels and new flooring, LED fixtures, HVAC systems and water heaters, siding, roofing, and ADA compliance work.
- In August, the North Carolina Housing Finance Agency awarded Vitus low-income housing tax credits (\$2,694,210) and bond volume capacity not to exceed \$4,650,000. See the attached.
- Vitus has requested that the Burlington Housing Authority ("BHA") issue the bonds, as the conduit or pass through issuer, for the entire portfolio.
- Under North Carolina law (NCGS 157-10), multiple housing authorities can cooperate with one another to issue multifamily housing bonds for affordable housing projects.

- On May 20th, the Rockingham Housing Authority ("RHA") Board of Commissioners authorized RHA to enter into an Interlocal Agreement (cooperation agreement") with BHA. See the attached. The Interlocal Agreement authorizes BHA to issue the bonds.
- The Rockingham City Council is needed to hold a public hearing and then to approve the bonds in order for the transaction to close.
- The transaction is scheduled to close before the end of the calendar year.
- Both the hearing and approval are required by federal law (Section 147(f) of the Internal Revenue Code.
- Neither the City of Rockingham nor RHA faces any liability in connection with the bond deal.
- Bond counsel (McGuire Woods of Raleigh) will be responsible for noticing the public hearing and producing the resolution needed for City approval, at no expense to the City.

Thank you for your consideration. Let me know if you have any questions, and I look forward to speaking with you and your colleague(s) on next week.

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**Eric Pristell**  
Principal



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[404-689-6551](tel:404-689-6551) (P) | [404-263-0829](tel:404-263-0829) (F) | [www.bankslawfirm.com](http://www.bankslawfirm.com)

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**RESOLUTION APPROVING IN PRINCIPLE THE ISSUANCE OF NOT TO EXCEED \$53,500,000 OF MULTIFAMILY HOUSING REVENUE BONDS BY THE BURLINGTON HOUSING AUTHORITY TO FINANCE A PORTFOLIO OF AFFORDABLE MULTIFAMILY HOUSING DEVELOPMENTS, INCLUDING CROWN POINTE APARTMENTS IN THE CITY OF ROCKINGHAM, NORTH CAROLINA**

WHEREAS, the City Council (the "City Council") of the City of Rockingham, North Carolina (the "City") met in Rockingham, North Carolina at 6:30 pm on the \_\_\_\_ day of \_\_\_\_\_, 2020; and

WHEREAS, affiliated or related entities of Vitus Group, LLC, a Delaware limited liability company, and Affordable Housing Institute, Inc., a Florida nonprofit corporation (collectively, the "Borrower"), have requested that the Burlington Housing Authority, a housing authority organized and operating under the North Carolina Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes of North Carolina, as amended (the "Act"), assist in financing the acquisition and rehabilitation of a portfolio of low-income multifamily residential rental facilities (the "Project"); and

WHEREAS, the Burlington Housing Authority desires to issue its multifamily housing revenue bonds in an amount not to exceed \$53,500,000 (the "Bonds"), for the purpose of providing financing to the Borrower for the Project; and

WHEREAS, a portion of the proceeds of the Bonds in the amount of approximately \$4,650,000 will be loaned to Borrower and used to finance the acquisition and rehabilitation of a 50-unit residential rental facility known as Crown Pointe Apartments, and located in the jurisdiction of the City at 1253 Cauthen Drive, Rockingham, North Carolina (the "Development"), which is one of the facilities in the portfolio making up the Project; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that any bonds issued by the Burlington Housing Authority for the Development may only be issued after approval of the plan of financing by the City Council of the City following a public hearing with respect to such plan; and

WHEREAS, the City Council has today held a public hearing with respect to the issuance of the Bonds, a portion of which will be used to finance the Development, as evidenced by the Certificate and Summary of Public Hearing attached hereto as Exhibit A; and

WHEREAS, the City has determined that approval of the issuance of the Bonds is solely to satisfy the requirements of Section 147(f) of the Code and shall in no event constitute an endorsement of the Bonds or the Development or the creditworthiness of the Borrower, nor shall such approval in any event be construed to obligate the City for the payment of the principal of or premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Burlington Housing Authority, or to constitute the Bonds or any of the agreements or obligations of the Burlington Housing Authority an indebtedness of the City, within the meaning of any constitutional or statutory provision whatsoever;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKINGHAM, NORTH CAROLINA:

1. The proposed issuance of the Bonds by the Burlington Housing Authority in one or more series, in an amount not to exceed \$53,500,000, a portion of which will be used to finance the acquisition,

rehabilitation and equipping of the Development within the jurisdiction of the City, is hereby approved for purposes of Section 147(f) of the Code.

2. This resolution shall take effect immediately.

Council member \_\_\_\_\_ moved the passage of the foregoing resolution and Council member \_\_\_\_\_ seconded the motion, and the resolution was passed by the following vote:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Not voting: \_\_\_\_\_

\*\*\*\*\*

CERTIFICATION

I, Sabrina McDonald, City Clerk to the City of Rockingham, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of so much of the proceedings of the City Council for the City of Rockingham, North Carolina, at a regular meeting duly called and held on \_\_\_\_\_, 2020, as it relates in any way to the resolution hereinabove set forth, and that such proceedings are recorded in the minutes of the City Council.

WITNESS my hand and the seal of the City Council of the City of Rockingham, North Carolina, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Sabrina McDonald, City Clerk  
City of Rockingham, North Carolina

(SEAL)



Exhibit A

Certificate and Summary of Public Hearing

The undersigned City Clerk of the City of Rockingham, North Carolina, hereby certifies:

1. Notice of a public hearing (the "Hearing") to be held on \_\_\_\_\_, 2020, with respect to the issuance of bonds by the Burlington Housing Authority (the "Authority") for the benefit of affiliates of affiliated or related entities of Vitus Group, LLC and Affordable Housing Institute, Inc. (the "Borrower") was published on \_\_\_\_\_, 2020, in the *Richmond County Daily Journal*.
2. The presiding officer of the Hearing was Mayor Steven Morris.
3. The following is a list of the names and addresses of all persons who spoke at the Hearing:
4. The following is a summary of the oral comments made at the Hearing:

IN WITNESS WHEREOF, my hand and the seal of the City of Rockingham, North Carolina, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Sabrina McDonald, City Clerk  
City of Rockingham, North Carolina

(SEAL)

## MEMORANDUM

To: Mayor Steve Morris and City Council Members  
From: John R. Massey, Jr., Assistant City Manager  
Date: November 2, 2020  
Re: Adoption of Title VI Policy

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To remain eligible to receive federal funds, the Federal Highway Administration and the NC Department of Transportation are requiring all municipalities to have an officially adopted Title VI policy. While the City's Personnel Ordinance references compliance with all Title VI requirements, it is not considered an "official policy" and thus an official policy must be adopted by the City Council. Included in the agenda packet is a resolution and official City policy statement along with supporting documents for compliance with Title VI requirements. City staff recommends the City Council approve the resolution and adopt the policy statement.

**RESOLUTION TO ADOPT A TITLE VI POLICY FOR THE CITY OF ROCKINGHAM  
TO PROHIBIT DISCRIMINATION IN PROGRAMS, SERVICES AND ACTIVITIES  
RECEIVING FEDERAL FINANCIAL ASSISTANCE**

**WHEREAS**, in 1964, Congress enacted the Civil Rights Act of 1964, which included that section labeled Title VI which prohibits discrimination in any activity which is financed by federal funds or receives federal financial assistance; and

**WHEREAS**, since the adoption of Title VI, additional federal regulations and court decisions have further refined the definition of "federal financial assistance" and what entities are affected and controlled by Title VI; and

**WHEREAS**, THE CITY OF ROCKINGHAM has no formal policy in place for defining and preventing discrimination in the activities and for the entities Title VI affects; and

**WHEREAS**, the interpretation and application are not intuitive or readily understood, requiring an understanding of what "federal financial assistance" might be in any particular situation and what persons or entities must comply with Title VI; and

**WHEREAS**, a policy and procedure for reporting violations will provide guidelines for the CITY OF ROCKINGHAM, City Departments and private persons and companies doing business with the CITY OF ROCKINGHAM and receiving federal financial assistance.

**NOW, THEREFORE, BE IT RESOLVED** by the Rockingham City Council of THE CITY OF ROCKINGHAM that the attached "Title VI Policy" is hereby adopted as the official policy of THE CITY OF ROCKINGHAM for applying, reporting and enforcing Title VI of the Civil Rights Act of 1964.

**IT IS FURTHER RESOLVED** that the City Manager is authorized to approve this policy on a yearly basis if no changes are made to it.

Adopted this the \_\_\_\_ day of \_\_\_\_\_ 2020.

ATTEST:

\_\_\_\_\_  
M. Steven Morris, Mayor

\_\_\_\_\_  
Sabrina Y. McDonald, City Clerk CMC

## Title VI Nondiscrimination Policy Statement

It is the policy of THE CITY OF ROCKINGHAM to ensure that no person, shall, on the ground of race, color, national origin, Limited English Proficiency, income-level, sex, sexual orientation, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Village of Clemmons program or activity, including, where applicable, religion, as provided by Title VI of the Civil Rights Act of 1964, United States Department of Transportation (DOT) Order 1050.2A, Title 49 Code of Federal Regulations (CFR) Part 21, the Civil Rights Restoration Act of 1987, and other pertinent nondiscrimination authorities.

The following practices are hereby prohibited throughout THE CITY OF ROCKINGHAM to comply, at a minimum, with Title VI and related requirements:

- Denying to an individual any standard service, financial aid, or other program benefit without good cause;
- Providing any service, financial aid, or other benefit to a person which is distinct in quantity or quality, or is provided in a different manner, from that provided to others under the program;
- Subjecting a person to segregation or separate treatment in any part of a program;
- Restrictions in the enjoyment of any advantages, privileges, or other benefits enjoyed by others;
- Methods of administration which, directly or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination;
- Different standards, criteria, or other requirements for admission, enrollment, or participation in planning, advisory, contractual or other integral activities;
- Acts of intimidation or retaliation, including threatening, coercing, or discrimination against any individual for the purpose of interfering with any right or privilege secured by any pertinent nondiscrimination law, or because s/he has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing;
- Discrimination in any employment resulting from a program, a primary objective of which is to provide employment.

To assure that appropriate program measures are implemented and monitored, I have designated Bridget Player, Human Resources Director, THE CITY OF ROCKINGHAM's Title VI Coordinator; [bridget@gorockingham.com](mailto:bridget@gorockingham.com), (910)997-5546. As an expression of my commitment to and support of the City of Rockingham's Title VI Nondiscrimination Program, below is my signature as THE CITY OF ROCKINGHAM Manager.

\_\_\_\_\_  
Monty R. Crump, City Manager

\_\_\_\_\_  
Date

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## DISCRIMINATION COMPLAINT FORM

**Any person who believes that he/she has been subjected to discrimination based upon race, color, sex, age, national origin, disability, income-level, or Limited English Proficiency may file a written complaint with the CITY OF ROCKINGHAM Title VI Coordinator within 180 days after the discrimination occurred.**

Last Name:	First Name:	<input type="checkbox"/> Male	
		<input type="checkbox"/> Female	
Mailing Address:	City:	State:	Zip:
Home Telephone:	Work/Cell Phone:	Email Address:	

Identify the Category of Discrimination:

RACE       COLOR       NATIONAL ORIGIN       LIMITED ENGLISH PROFICIENCY  
 RELIGION       DISABILITY       SEX       INCOME LEVEL       AGE

NOTE: Religion is covered as a basis only under NCDOT's Right of Way Unit, (Fair Housing) and Public Transportation and Aviation Division.

Identify the Race of the Complainant:

Black       White       Hispanic       Asian American  
 American Indian       Alaskan Native       Pacific Islander       Other \_\_\_\_\_

Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination:

Names of individuals responsible for the alleged discriminatory action(s):

How were you allegedly discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. Attach additional page(s) if necessary.

The law prohibits intimidation or retaliation against anyone because he/she either has taken action, or participated in action, to secure rights protected by these laws. If you feel you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation. Attach additional page(s) if necessary.

Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support and/or to clarify your complaint. Attach additional page(s) if necessary.

Name	Address	Telephone
_____	_____	_____
_____	_____	_____
_____	_____	_____

Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

- \_\_\_\_\_ Federal Highway Administration \_\_\_\_\_
- \_\_\_\_\_ Federal Transit Administration \_\_\_\_\_
- \_\_\_\_\_ Federal Motor Carrier Safety Administration \_\_\_\_\_
- \_\_\_\_\_ US Department of Transportation \_\_\_\_\_
- \_\_\_\_\_ Federal or State Court \_\_\_\_\_
- \_\_\_\_\_ NC Department of Transportation \_\_\_\_\_
- \_\_\_\_\_ Other \_\_\_\_\_

Have you discussed the complaint with any CITY OF ROCKINGHAM representative? If yes, provide the name, position, and date of discussion.

Please provide any additional information that you believe would assist with an investigation.

Briefly explain what remedy, or action, you are seeking for the alleged discrimination.

**AN UNSIGNED COMPLAINT WILL NOT BE ACCEPTED. PLEASE SIGN AND DATE THE FORM BELOW.**

**COMPLAINANT'S SIGNATURE**

**DATE**

**MAIL COMPLAINT FORM TO:**

City of Rockingham  
Title VI Coordinator  
514 Rockingham Road  
Rockingham, NC 28379  
910-997-5546

**FOR OFFICE USE ONLY**

Date Complaint Received: \_\_\_\_\_

Processed by: \_\_\_\_\_

Referred to: \_\_\_\_\_

Date Referred: \_\_\_\_\_

## CITY OF ROCKINGHAM

### EXTERNAL DISCRIMINATION COMPLAINT INSTRUCTIONS

#### INTRODUCTION

The City of Rockingham is responsible for processing discrimination complaints filed under Title VI of the Civil Rights Act of 1964 and related nondiscrimination laws. Participants and beneficiaries of programs and activities administered or funded by the City of Rockingham who feel they have been discriminated against based on race, color, national origin, income level, Limited English Proficiency (LEP), sex, age, or disability have a right to file a complaint. Complaints of alleged discrimination will be investigated by the appropriate authority, such as ECR, a Federal agency. Note: Religion is only covered under NCDOT's Right of Way program, (Fair Housing) and programs funded by the Federal Aviation Administration (FAA) or Federal Transit Administration (FTA).

#### FILING OF COMPLAINTS

1. **Applicability** – These complaint procedures apply to City of Rockingham programs, activities, and services. Note: Title VI does not include internal complaints related to Equal Employment Opportunity (EEO).
2. **Eligibility** – Any person or class of persons who believes he/she has been subjected to discrimination based on race, color, national origin, income level, LEP, sex, age, or disability (and religion, where applicable) may file a written complaint with the City of Rockingham's Title VI Coordinator. The law also prohibits intimidation or retaliation against anyone who files a complaint.
3. **Filing Options and Time Limits** – Complaints may be filed by the affected individual(s) or a representative and must be filed no later than 180 calendar days after the following:
  - The date of the alleged act of discrimination; or
  - The date when the person(s) became aware of the alleged discrimination; or
  - Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

Title VI and related discrimination complaints may be submitted to the following entities:

- **North Carolina Department of Transportation**, Office of Civil Rights, External Civil Rights, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1808 or toll-free 800-522-0453
- **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590, 202-366-4070
  - **Federal Highway Administration**, Office of Civil Rights, 1200 New Jersey Avenue, SE, 8<sup>th</sup> Floor, E81-314, Washington, DC 20590, 202-366-0693/202-366-0752
  - **Federal Highway Administration**, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010
  - **Federal Transit Administration**, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5<sup>th</sup> Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590
  - **Federal Motor Carrier Safety Administration**, Office of Civil Rights, 1200 New Jersey Avenue, SE, Room #W65-312, Washington, DC 20591, 202-366-8810
  - **Federal Aviation Administration**, Office of Civil Rights, 800 Independence Avenue, SW, Washington, SC 2591, 202-267-3258
- **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll-free 877-218-5228



4. **Format for Complaints** – Complaints must be in writing and signed by the complainant(s) or a representative, and include the complainant’s name, address, and telephone number. Complaints received by fax or email will be acknowledged and processed. Complaints will be accepted in other languages, including Braille. (See Discrimination Complaint Form included below.)
5. **Complaint Basis** - Allegations must be based on issues involving race, color, national origin, income level, LEP, sex, age, or disability, and religion, where applicable. The term “basis” refers to the complainant’s membership in a protected group category. Note: Religion (or creed) is only protected under Right of Way, Public Transportation, and Aviation programs.

Protected Categories	Definition	Examples	Pertinent Statutes and Regulations	
			FHWA	FTA
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; 23 CFR 200; (Executive Order 13166)	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; Circular 4702.1B; (Executive Order 13166)
Color	Color of skin, including shade of skin within a racial group	Black, White, Brown, Yellow, etc.		
National Origin (LEP)	Place of birth. Citizenship is not a factor (Discrimination based on language or a person’s accent is also covered.)	Mexican, Cuban, Japanese, Vietnamese, Chinese, Russian, French.		
Income level	An individual or household determined to be low-income	Poverty status	Executive Order 12898	
Sex	The sex of an individual. Note: Sex under this program does not include sexual orientation	Women and Men	1973 Federal-Aid Highway Act	Title IX of the Education Amendments of 1972
Age	Person of any age	21-year-old person	Age Discrimination Act of 1975	
Disability	Physical or mental impairment, permanent or temporary, or perceived	Blind, alcoholic, paraplegic, epileptic, diabetic, arthritic	Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990	
Religion	Creed. An individual belonging to a religious group; or the perception, based usually on distinguishable characteristics that a person is a member of a religious group	Muslim, Christian, Sikh, Hindu, etc.	Title VIII of the Civil Rights Act of 1968 (Fair Housing Act); 49 USC 47123 (FAA); 49 USC 5332 (FTA)	

### **COMPLAINT RECEIPT AND RESPONSE**

1. The City of Rockingham's Title VI Coordinator will provide written acknowledgement via registered mail of your complaint within fifteen (15) calendar days.
2. The City of Rockingham will review your complaint upon receipt to ensure the required information was provided, the complaint was timely filed, and jurisdictional requirements were met.
  - a. If the complaint is complete and no additional information is needed, the City of Rockingham Title VI Coordinator will send you a letter of acceptance as well as a Complainant Consent/Release Form.
  - b. If the complaint is incomplete, you will be contacted in writing to obtain the needed information. Note: Failure to respond and/or provide the requested information within fifteen (15) calendar days may be considered good cause for a determination of no investigative merit.
3. Within fifteen (15) calendar days of receiving your complaint, the City of Rockingham will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the City of Rockingham will notify you and Respondent (the person(s) against whom you have filed the complaint) via registered mail, stating the decision.
  - a. If the decision is not to investigate the complaint, the notification shall specifically state the reasons for the decision.
  - b. If the decision is to investigate the complaint, the notification shall state the grounds of the Village's jurisdiction and require your and the Respondent's full cooperation in assisting the investigator.
  - c. Interviews may be recorded during the investigation. Consent to record may be required if the interviewee is located outside of North Carolina.
4. The City of Rockingham will attempt to resolve all discrimination complaints within 60 days of accepting the complaint for investigation. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation between the affected parties and City of Rockingham staff may be utilized for resolution. The City of Rockingham will make known all filing options and avenues of appeal.

## National Hospice and Palliative Care Month – November 2020

### PROCLAMATION

**WHEREAS**, for more than 40 years, hospice has helped provide comfort and dignity to millions of people, allowing them to spend their final months at home, surrounded by their loved ones;

**WHEREAS**, the hospice model involves an interdisciplinary, team-oriented approach to treatment, including expert medical care, quality symptom control, and comprehensive pain management as a foundation of care;

**WHEREAS**, beyond providing physical treatment, hospice attends to the patient’s emotional, spiritual and family needs, and provides family services like respite care and bereavement counseling;

**WHEREAS**, palliative care delivers expertise to improve quality of life and relief from pain, can be provided at any time during an illness, and hospices are some of the best providers of community-based palliative care;

**WHEREAS**, in an increasingly fragmented and broken health care system, hospice is one of the few sectors that demonstrates how health care can – and should – work at its best for its patient;

**WHEREAS**, 1.55 million Americans living with life-limiting illness, and their families, received care from the nation’s hospice programs in communities throughout the United States in 2018;

**WHEREAS**, hospice and palliative care organizations are advocates and educators about advance care planning that help individuals make decisions about the care they want;

**WHEREAS**, the Centers for Medicare and Medicaid Services have pledged to put patients first in all of its programs – including hospice – ensuring a coordinated and patient-led approach to care, protecting patient choice and access to individualized services based on a patient’s unique care needs and wishes.

**NOW, THEREFORE**, be it resolved that I, M. Steven Morris, Mayor by virtue of the authority vested in me by City of Rockingham, Rockingham, NC do hereby proclaim November 2020 as **National Hospice and Palliative Care Month** and encourage citizens to increase their understanding and awareness of care at the end of life, discuss their end of life wishes with their families, and observe this month with appropriate activities and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this 1<sup>st</sup> day of November, 2020 and caused this seal to be affixed.

Signed: \_\_\_\_\_  
M. Steven Morris, Mayor

**PROCLAMATION**  
**Honoring Veterans**  
**and**  
**Supporting Veterans Day Activities**

**WHEREAS**, in 1919 President Woodrow Wilson proclaimed November 11<sup>th</sup> as Armistice Day; and

**WHEREAS**, in 1938 it became a national holiday and in 1954 Congress changed the name of the holiday to Veterans Day; and

**WHEREAS**, President Dwight D. Eisenhower signed the bill into law for this day "to honor veterans...a day dedicated to world peace"; and

**WHEREAS**, observances are held throughout the Country to salute and honor our Nation's heroes; and

**WHEREAS**, various organizations exist to help veterans and their families in time of need, to support measures to promote the welfare and security of the Country, and to support patriotic and moral values through special school, hospital, and civic programs; and

**WHEREAS**, the City of Rockingham is proud of all our veterans and wholeheartedly supports the men, women, and their families who have served our Nation in past wars as well as those serving today; and

**WHEREAS**, the slogan "All gave some, some gave all" brings to our hearts the importance of never under estimating freedom's price.

**NOW, THEREFORE, I, M. Steven Morris, Mayor and Members of Rockingham City Council do hereby proclaim Saturday, November 7, 2020 as a day to express honor and support for all veterans; and,**

**FURTHERMORE, encourage our citizens to take time to honor veterans by participating in local ceremonies to include a memorial service on Saturday, November 7, 2020 in the Veteran's Memorial Park beginning at 11:00 a.m.**

**This the 2<sup>nd</sup> day of November, 2020.**

Signed:

\_\_\_\_\_  
M. Steven Morris  
Mayor

**DEPARTMENTAL  
ACTIVITY REPORTS  
for  
COUNCIL'S INFORMATION**



W.D. Kelly, Chief of Police

To: Monty Crump

*W.D.K.*  
From: W. D. Kelly  
Chief of Police

Date: November 2, 2020  
Ref: October Activity Report

On behalf of the Rockingham Police Department, I am pleased to submit this report for your consideration. The following activities have been undertaken by officers of the Rockingham Police Department.

**Total Calls for the Month:** 1445  
**Public Service Calls - INCLUDES** 498  
*Alarms, Unlocks and Battery Boosts)*

**Charges Generating Arrest:**  
**Felonies:** 23  
**Misdemeanors:** 40  
**Drug Violations:** 03  
**Juvenile:** 09  
**Warrants Served:** 45  
**Citations:** 29

**Accidents Reported/Investigated:**  
**Property Damage only:** 63  
**Personal Injury:** 05

**Officer Hours Spent in Court:** 15  
**Officer Training Hours Logged** 130





**FIRE CHIEF**  
HAROLD ISLER  
**ADMIN. ASST.**  
KRISTY PLAYER

**October-20**

We are pleased to submit the monthly fire report on the activities undertaken by the Rockingham Fire Department during the month of October, 2020.

Total Alarms:	<u>31</u>	In Town:	<u>31</u>	Out of Town:	<u>0</u>
Turn In Alarms:	<u>0</u>	Silent Alarms:	<u>31</u>	Structure:	<u>0</u>
Wrecks:	<u>11</u>	Alarm Malf:	<u>7</u>	Good Intent:	<u>2</u>
Smoke/Odor:	<u>0</u>	Vehicle fire:	<u>2</u>	Outside fire:	<u>3</u>
Illegal burn:	<u>0</u>	Co Detector:	<u>1</u>	Assit Police:	<u>0</u>
Service call:	<u>4</u>	Assit EMS:	<u>0</u>	Water Rescue:	<u>0</u>
Electrical:	<u>0</u>	Power Line Down:	<u>1</u>	Gas Leak:	<u>0</u>

Hours Spent on Calls: 6 hours and 22 minutes

Total Property Exposed to Fire:	<u>\$0.00</u>
Total Property Damaged by Fire:	<u><u>\$0.00</u></u>
Total Property Save:	<u><u>\$0.00</u></u>

During the month of October full time members of the fire department averaged 44 training hours per person; part-paid members averaged 4 hours per person for the month.

**Respectfully Submitted,**

**Assistant Fire Chief**  
**Vernon McKinnon**