

**HORRY COUNTY GOVERNMENT**

**TITLE VI PLAN**



**HORRY COUNTY GOVERNMENT**

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## I. POLICY STATEMENT

Horry County assures that no person shall on the grounds of race, color, national origin as provided by Title VI of the Civil Rights Act of 1964 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Horry County further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities.

In the event that Horry County distributes federal aid funds to another entity, Horry County will include Title VI language in all written agreements and will monitor for compliance.

The Horry County Title VI Coordinator and liaison staff members are responsible for initiating and monitoring Title VI activities as required by 23 CFR 200 and 49 CFR 21.

  
\_\_\_\_\_  
Steven Gosnell, Horry County Administrator

Date: 1/5/22

## II. Dissemination of Policy

To assure that the widest possible circulation of Horry County Government's equal opportunity policy statement, the following actions will be taken:

1. The Equal Opportunity Policy Statement will be issued to all contract recipients, Department Heads, Administrator and Assistant Administrators, contractors, and subcontractors.
2. The Equal Opportunity Policy Statement will be posted in strategic locations throughout Horry County offices.
3. The Equal Opportunity Policy Statement will be displayed on Horry County Government's website and intranet.
4. The Airport will display FAA compliant posters in strategic public locations.
5. Training will be provided on an ongoing basis to educate and inform all affected staff that the implementation of the Equal Opportunity Policy Statement is their responsibility.

## III. Title VI Reporting Relationships

Refer to Horry County ORGANIZATIONAL CHART Attached as Appendix I.

## **A. Organization and Staffing**

The County Administrator and Assistant Administrators are responsible for ensuring the implementation of the County's Title VI program. The Title VI Coordinator will work with Liaison staff members in each of the affected departments including Planning/Zoning, Public Works, Engineering and Stormwater, Airport, Maintenance, Grant Administration and Procurement. The Coordinator and Liaison staff in these departments are responsible for the overall management of the Title VI program with the support of the Administrator and Assistant Administrators.

## **B. Authorities**

**Title VI of the 1964 Civil Rights Act** provides that no person in the United States shall, on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity receiving federal financial assistance. (23 CFR 200 and 49 CFR 21).

**The Civil Rights Restoration Act of 1987** broadened the scope of Title VI coverage by expanding to the recipients, subrecipients and contractors, whether such programs and activities are federally funded or not. (PL 100259).

**Environmental Justice Executive Order 12898** addresses disproportionate adverse environmental, social, and economic impacts that may occur in minority and low-income populations.

**Limited English Proficiency Executive Order 13166** addresses access to services for persons whose primary language is not English and have a limited ability to read, write, speak or understand English.

**Americans with Disabilities Act of 1990 and the ADA Amendments Act of 2008** prohibits discrimination and ensures equal opportunity for persons with disabilities in employments, State and local government services, public accommodations, and transportation.

**Disadvantaged Business Enterprise (DBE) Bid Opportunities:** In addition to other non-discrimination laws and regulations that must be adhered to, projects funded by CDBG, ESG, and HOME Program funds must comply with regulations contained in 24 CFR 85.36 (e) (2) (1) requiring that bid opportunities be provided to Minority, Women and Handicapped Business enterprises (MBE, WBE, HBE). Projects funded by the FAA are regulated by 49 CFR Part 26 (DBE) and 49 CFR Part 23 (ACDBE) respectively.

#### **IV. TITLE VI COORDINATOR RESPONSIBILITIES**

As authorized by the County Administrator, the Title VI Coordinator is responsible for initiating, monitoring and ensuring Horry County's compliance with Title VI requirements as follows:

1. Process, review and investigate Title VI complaints received by Horry County. Every effort will be made to resolve complaints informally at the County and contractor level.
2. Maintain a log of all Title VI complaints received by Horry County, together with disposition information.
3. Oversee the collection of statistical data of participants in benefits and programs to determine impacted citizens, relocatees, and affected communities. Each of the Title VI Liaisons will maintain data on an ongoing basis, and access to the logs will be regularly provided to the Title VI Coordinator.
4. Meet with Liaisons to determine the effectiveness of program area activities at all levels.
5. Conduct Title VI reviews and assist in the formation of department goals regularly.
6. Prepare Title VI Update Reports outlining accomplishments and/or changes to the program during the preceding year, including goals and objectives for the upcoming year.
7. Work with Liaisons to evaluate programs and services to avoid, minimize and/or mitigate adverse health and environmental effects of actions, programs or services on minority populations and low-income populations.
8. Engage in efforts with Liaisons to ensure the full and fair participation by all potentially affected communities in the input process for projects, programs and services.
9. Assist in the development of strategies to prevent the denial of, reduction in or significant delay in the receipt of benefits by minority and low-income populations.
10. Assist in the development of Title VI information for dissemination to minority and Limited English Proficiency populations. Ensure general dissemination in languages other than English when appropriate.
11. Assist departments in communications with non-English speaking or low English proficiency individuals and communities.
12. Oversee dissemination of Title VI program information to County employees, contractors, subcontractors, consultants, and subconsultants as well as the general public. Public dissemination will include posting of public statements and inclusion of Title VI

language in contracts. The Title VI Policy Statement will be published in newspapers having a general circulation in the vicinity of proposed projects and announcements of hearings and meetings.

13. Review post-grant approval procedures for County programs and applicants for compliance with Title VI; i.e. highway or roadway location, design and relocations, and persons seeking to provide contract services for County projects.

14. Establish monitoring procedures for pre-grant and post-grant approval reviews of federally funded grant programs for compliance with Title VI requirements.

15. Develop and deliver Title VI training for County employees to affected departments and management.

16. Identify and eliminate discrimination when found to exist. Work with County departments to establish procedures for resolving deficiencies. Deficiencies will be corrected with strategies such as utilization of disadvantaged business enterprises, public involvement and property acquisition.

17. Maintain updated legislative and procedural information regarding Horry County's Title VI Program.

18. Maintain list of bilingual County employees.

19. Ensure that language translation services are available as may be necessary.

Horry County will provide ongoing training to Title VI Coordinator and staff.

## **V. TITLE VI RESPONSIBILITIES FOR THE LIAISONS**

All Liaison staff will work with Title VI Coordinator to accomplish Title VI goals and responsibilities, and generally will assist with Title VI Coordinator with implementation and monitoring of Title VI requirements for federally funded projects in which their department is involved.

The following Liaison responsibilities apply to Liaison staff in every department with regard to federal funded projects in the department.

### **A. PLANNING PROCESS**

1. Detail efforts taken to identify minority or low-income populations affected by federally funded project activities including rights of way, roads, bridges, etc.

2. Conduct meetings to provide information to local populations concerning proposed projects.

3. Attend public meetings to document and verify the level of participation of Title VI protected group members.

4. Monitor to ensure that follow through occurs with respect to all efforts to include underserved populations.

5. Consult DBE firms to identify possible barriers to their contract participation and use information to attempt to eliminate such barriers.

6. Ensure that LEP (limited English proficiency) individuals who will be affected by contract awards or construction projects receive meaningful access into the public awareness/involvement process to allow them to participate.

7. Ensure that various social, economic and ethnic interest groups are represented in the planning, construction and/or bidding process by disseminating relevant information to minority media and/or ethnic gender related organizations or leaders and participating in roundtable meetings in predominantly minority communities.

8. Ensure that economic, social, topographical and environmental impacts of a proposed project are key factors weighed in the location consideration and that special efforts are engaged in the area of Environmental Justice to inform members of minority or low income communities of public hearings or other public involvement activities.

9. Document contacts and encounters with LEP and DBE persons.

## **B. BIDDING PROCESS**

1. Identify any federal funded projects when presenting request for proposal through procurement.

2. Provide Title VI Coordinator with copies of any request for proposal concerning federally funded projects at same time proposal is submitted to Procurement Department.

3. Ensure that policy and procedures for selection of proposals, negotiation and administration of contracts for federally funded projects comply with Title VI requirements.

4. Conduct pre-grant and post-grant approval reviews of federally funded grant programs for compliance with Title VI requirements.

5. Document all evidence to support conclusions concerning Environmental Justice issues.

6. Ensure that all federally funded projects include the necessary Title VI appendix.

7. Ensure that all bidders on federally funded, including contractors, vendors, suppliers, etc., who will utilize subcontractors, are required to state in their bids to Horry County how enterprises owned by “minority, women, and persons with a disability” (MBE, WBE, DBE) will be considered in the bid evaluation.

### **C. CONTRACTS**

1. Include Title VI language in contract award letters to encourage the utilization of DBE or SCDOT certified firms. Award of construction contracts shall be granted on the basis of the lowest responsive bidder meeting the established DBE goal through subcontracting or sufficient Good Faith Efforts.

2. Ensure that DOT Title VI Assurance language is included in all contracts, deeds, licenses, permits or other similar instruments for federally funded projects.

3. Ensure that consultants retained on federally funded projects are qualified and screened for Title VI compliance with regard to consultant firms that may related to public works projects and/or the development of constructions plan and special provisions for roads and bridges, design work associated with structures, performing environmental studies or preparing NEPA or SEPA documents for public works projects.

4. Oversee prime contractors who are required to contact and solicit subcontract bids from eligible MBE, WBE or DBEs to substantiate that contact documentation is provided by prime contractors, local units of government and local road agencies.

5. Provide support services to DBEs.

6. Review all projects for application of DBE goals.

7. Assist the Title VI Coordinator with monitoring DBE program requirements when applicable.

### **C(1) PROPERTY ACQUISITION CONTRACTS**

1. If property acquisition is part of the project considered by Horry County, including but not limited to property appraisal, negotiation of terms and conditions for acquisition, and assistance in relocation of displaced individuals, businesses, farm operations, non-profit organizations and property management, efforts will be undertaken to take into account Title VI considerations, including:

Ensure equal opportunity for disadvantaged businesses to participate in personal services contracts, including appraisal, relocation and property management.

Apprise all affected property owners, tenants, and others involved of their rights and options regarding negotiation, relocation, condemnation and other aspects of the acquisition process.

Incorporate Title VI language and assurance statements in all surveys of property owners and tenants. Coordinate the preparation of deeds, permits and leases to ensure the inclusion of appropriate clauses, including Title VI Assurances.

Monitor whether appraised values and communications associated with the appraisal and negotiation operations result in equitable treatment of underserved populations.

Ensure that comparable replacement dwellings are available and assistance is given to all displaced persons and entities through the property acquisition process.

Maintain separate documentation of Title VI property acquisition projects including efforts and initiatives for monitoring and compliance purposes.

#### **D. REPORTING**

1. Assist the Title VI Coordinator in gathering and organizing information for update Reports.
2. Document encounters and contacts with LEP persons
3. Gather statistical data on DBE utilization.
4. Maintain statistical data including race, color, national origin, and gender on all relocatees affected by federally funded projects, and provide detailed demographic data annually to Title VI Coordinator.
5. Assist the Title VI Coordinator in gathering and maintaining necessary data and documentation required for completion of Title VI update Reports.

#### **E. GENERAL DUTIES**

1. Conduct pre-grant and post-grant approval reviews of federally funded grant programs for compliance with Title VI requirements.
2. Report to Human Resources the availability of bilingual staff.
3. Disseminate notices in Spanish and English. All public meeting notices, advertisements and notices to the public concerning meetings or notification of benefits and/or services available through Horry County Government which either

directly or indirectly invoice federal funding are required to include both a Title VI and ADA notice in the publication.

4. Notify Title VI Coordinator whenever Title VI complaint or issue arises.

5. Maintain separate documentation for Title VI projects and compliance efforts.

## **VI. ADDITIONAL SPECIFIC DUITES FOR LIASONS OF AFFECTED DEPARTMENTS**

**In addition to the above-listed responsibilities which all liaisons share, each department has specific Title VI goals and responsibilities which are enumerated below for each department, based upon the functions and operation of each department.**

### **A. PLANNING & ZONING**

**In addition to the functions for which all Liaison staff are responsible, the Liaison in this department will perform specific functions.**

1. Ensure that all aspects of the planning and zoning process operations which involve federal funding comply with Title VI.

2. Work cooperatively with Procurement Department to assist as need with federal funded project Title VI responsibilities involving planning or zoning.

### **B. PROCUREMENT**

**Liaison staff in this department will generally assist the Title VI Coordinator with implementation and monitoring of Title VI requirements for federally funded projects. In addition, the Liaison staff will perform the following specific functions:**

1. Ensure that all aspects of the procurement and contract award process for federal funded projects submitting requests for proposals comply with Title VI.

2. Conduct final review of all requests for proposals for federally funded projects prior to advertisement for Title VI compliance purposes.

3. Advise department and Title VI Coordinator of any observed deficiencies and/or necessary steps or revisions with regard to federally funded requests for proposals.

4. Act as a Liaison for planning and zoning and parks and recreation department projects that submit requests for proposals and receive federal funding, including but not limited to property acquisitions.

### **C. COMMUNITY DEVELOPMENT AND GRANTS**

**Liaison staff in this department will generally assist the Title VI Coordinator with implementation and monitoring of Title VI requirements for federally funded projects. In addition, the Liaison staff will perform the following specific functions:**

1. Ensure that all aspects of the grant solicitation and award process operations comply with Title VI.
2. Assist the Title VI Coordinator with coordination and oversight tasks for County Title VI goals and tasks.

### **D. PUBLIC WORKS AND ENGINEERING AND STORMWATER**

**Liaison staff in this department will generally assist the Title VI Coordinator with implementation and monitoring of Title VI requirements for federally funded projects. In addition, the Liaison staff will perform the following specific functions when federal funds are received:**

1. Ensure that consultants retained on federally funded projects are qualified and screened for Title VI compliance with regard to consultants that may relate to public works projects and/or the development of construction plans and special provisions for roads and bridges, design work associated with structures, performing environmental studies or preparing NEPA or SEPA documents for public works projects.
2. Ensure that a systematic process is utilized to study and evaluate all necessary social and economic environmental aspects of a proposed project. Depending on the scope, complexity and impacts of the project a National Environmental Policy Act (NEPA), Categorical Exclusion (CE), NEPA Environmental Assessment (EA), or other Environmental Impact Statements may be completed.

### **E. MAINTENANCE**

**In addition to the functions for which all Liaison staff are response, the Liaison in this department will perform the following specific functions:**

1. Ensure that consultants retained on federally funded projects are qualified and screened for Title VI compliance with regard to consultants that may relate to building construction projects and/or the development of constructions plans, design work associated with structures, performing environmental studies or preparing NEPA or SEPA documents for public works building construction projects.
2. Ensure that a systematic process is utilized to study and evaluate all necessary social and economic environmental aspects of a proposed project. Depending on the scope, complexity and impacts of the project a National Environmental Policy Act

(NEPA), Categorical Exclusion (CE), NEPA Environmental Assessment (EA), or other Environmental Impact Statements may be completed.

## **F. AIRPORT**

**Liaison staff in this department will generally assist the Title VI Coordinator with implementation and monitoring of Title VI requirements for federally funded projects. In addition, the Liaison staff will perform the following specific functions:**

1. Ensure nondiscrimination in the award and administration of SCDOT assisted contracts in the airport financial assistance programs.
2. Ensure that the airport DBE program is narrowly tailored in accordance with applicable law.
3. Provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.
4. Implement all aspects of DBE/ACDBE programs.
5. Ensure that Title VI signage is posted.
6. Ensure that all aspects of the procurement and/or construction bidding and award process operations comply with Title VI, 49 CFR Part 26 and 49 CFR Part 23.
7. Work with Title VI Coordinator to communicate with the FAA as necessary.
8. Provide a copy of 49 CFR 21, 49 CFR Part 26 and 49 CFR Part 23 at the Airport Administration office during normal working hours for public inspection upon request.
9. Maintain and provide access upon request of current copy of the SCDOT DBE Directory.
10. Provide access upon request by FAA to books, records, accounts and other information as necessary to determine compliance.
11. Include Title VI language in contact award letters to encourage the utilization of DBE firms. Award of construction contracts shall be granted on the basis of the lowest responsive bidder including DBE requirements in accordance with 49 CFR Part 21 Appendix C(a)(1)(x).
12. Ensure that the Civil Rights Provision is inserted into all contractor, tenant, concessionaire and lessee agreements, and that it is included in all subcontracts, subleases and other agreements at any tier.
13. Encourage contractors to thoroughly investigate the full extent of services offered by socially and economically (SCDOT certified) disadvantaged individuals and make

reasonable efforts to use these individuals either by meeting the established DBE goal or submitting Good Faith Efforts sufficient to meet the criteria set forth by the FAA.

14. Coordinate with local transit authority to provide general access to the airport to disadvantaged communities.

15. Ensure that the airport concessions are solicited so that minority businesses are provided with an opportunity to participate as required by 49 CFR Part 23.

16. Maintain a copy of 49 CFR Part 21 for inspection by an person asking for it during normal working hours.

17. Display a sign furnished by FAA in main public areas stating that discrimination based on race, color, national origin is prohibited pursuant to 49 CFR Part 21 Appendix C(b)(2)(ii) and 28 CFR 42.405(c).

18. Notify Title VI Coordinator whenever a potential Title VI complaint or issue arises.

19. Forward copy of all written complaints of discrimination based on race, color or national origin to FAA within 15 days of receipt along with a statement describing all actions taken to resolve the matter and the results thereof.

## **VII. TITLE VI METHODOLOGY FOR IDENTIFICATION OF TARGET POPULATIONS AND ANALYSIS OF DATA**

Statistical data on race, color and national origin and beneficiaries of federally funded programs, (e.g., impacted citizens and affected communities), will be gathered by county staff and maintained by the Title VI Coordinator. The data gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program administration.

Horry County Government may utilize the following sources to identify target populations: the latest U.S.Census data, Horry County Social Services data and Horry County School District data.

Horry County has identified the following relevant groups for Title VI analysis:

- Low income
- Federal assistance recipients
- Minority
- Elderly
- Limited English proficiency (LEP) or English spoken as second language
- Disabled populations

Once Horry County has identified target populations for Title VI consideration, maps indicating the distribution of the relevant groups that indicate their distribution throughout the area will be utilized to analyze potential group impact on federally-funded planning, grants, public works and construction projects including improvements to highways, housing, public facilities, right-of-ways, roads, public facilities and other projects. The maps are for internal Horry County use and will not be generally circulated.

Census Bureau Household Language estimated information from 2019 indicates 10,555 individuals have limited English proficiency; that is; they speak English less than “very well” or “not at all.” This is only 3.10% of the overall population in the service area

**A. Public Notices-To engage in efforts to reach a greater portion of the Spanish speaking population, all public notices regarding any federally funded project will be provided in English and Spanish. A translator will be available, upon reasonable advance request, at public meetings. In addition, a sign-in sheet will be at all public meetings so that staff can make sure that data will reflect the population served.**

Horry County believes that public input into its process is valuable and makes its products better. The qualitative information derived from citizen involvement is essential to good decision-making. As a matter of long-standing policy and a requirement of federal law, the County planning process will make special efforts to consider the concerns of traditionally underserved communities, including low-income and minority communities and people with disabilities. News releases and advertisements are in the Sun News, Horry Independent, on the website, and on the government channel.

**B. Construction Contracts, Planning initiatives and Grant Programs that are federally funded will conduct pre- and post-grant reviews for Title VI compliance.**

Horry County shall establish monitoring procedures for pre-grant and post-grant approval reviews of federally funded grant programs for compliance with Title VI requirements. Horry County will endeavor to ensure that awards of Federal financial assistance are only granted to entities that adhere to the substantive nondiscrimination mandates of Title VI and other laws.

#### **C. Pre-award authority**

Title VI guidelines grant Horry County discretionary authority to dispense assistance to Sub-recipients. They also support obtaining assurances from sub-recipients. When Horry County receives information pre-award that indicates noncompliance by a sub-grantee, it may defer making the grant decision, may seek a voluntary resolution and, if no settlement is reached (after complying with procedural requirements), may refuse to award assistance.

#### **D. Subcontracts and Vendors**

All subcontractors and vendors who receive payments from Horry County where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

#### **E. Additional Data Collection**

Except as determined to be inappropriate by applicable regulations, laws, and/or statutes, Horry County shall, in regard to each assisted program, provide for the collection of relevant and current data and information from Subrecipients, Departments, etc. for, and recipients of, federal assistance sufficient to permit effective enforcement of Title VI.

Examples of data and information which, to the extent necessary and appropriate for determining compliance with Title VI, shall be required as follows:

1. The manner in which services are provided by the program in question, and related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination;
2. The population eligible to be served by race, color and national origin;
3. Data regarding covered employment, including use or planned use of bilingual public-contact employees serving beneficiaries of the program where necessary to permit effective participation by beneficiaries unable to speak or understand English;
4. The location of existing or proposed facilities connected with the program, and related information adequate for determining whether the location has or will have the effect of unnecessarily denying access to any persons on the basis of prohibited discrimination;
5. The present or proposed membership, by race, color and national origin, in any planning or advisory body which is an integral part of the program;
6. Where relocation is involved, the requirements and steps used or proposed to guard against unnecessary impact on persons on the basis of race, color or national origin;
7. Prompt notification of any lawsuit filed against the Subrecipient alleging discrimination on the basis of race, color or national origin, and that each Subrecipient notify the County upon its request of any complaints filed against the Subrecipient alleging such discrimination;
8. A statement by the Subrecipient describing any civil rights compliance reviews and information concerning the agency or organization performing the review; and periodic statements by any recipient regarding such reviews;

9. A written assurance by the Subrecipient that it will compile and maintain records required, pursuant to preceding paragraphs, by the agency's guidelines or other directives.

Where a federal agency determines that any of the requirements of this section are inapplicable or inappropriate in regard to any program, the basis for this conclusion shall be set forth in writing and made available to the public upon request.

## **I. LIMITED ENGLISH PROFICIENCY PLAN**

This Limited English Proficiency Plan has been prepared to address Horry County's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency language skills.

The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C 2000d, et seq, and its implementing regulations, which states that no person shall be subjected to discrimination on the basis of race, color or national origin. Executive Order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency", indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each entity to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including all Horry County departments receiving federal grant funds.

### **A. Plan Summary**

Horry County has developed this Limited English Proficiency Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wishes to access services provided. As defined Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

All contractors or subcontractors performing work for Horry County will be advised of and required to follow the Title VI/LEP guidelines.

In developing this plan, Horry County will utilize the U.S. Department of Transportation Four-Factor LEP Analysis, which considers the following:

- 1) The number or proportion of LEP persons in the service area who may be served or likely to require Horry County services:
- 2) The frequency with which LEP individuals come in contact with Horry County services;

- 3) The nature and importance of services provided by Horry County to the LEP population; and
- 4) The resources available to Horry County and overall costs to provide LEP assistance.

## **B. MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS**

In order to prepare this plan, Horry County used the four-factor LEP analysis which considers the following factors:

### **1. The number or proportion of LEP persons in the service area who may be served or are likely to require Horry County services:**

Horry County reviewed the 2019 United States Census Bureau ACS 1-Year Estimates Subject Tables Language Spoken at Home and determined that Horry County has an estimated population of 92.7% that speak English only. The County has an estimated 5.0% of the population that speaks Spanish. An estimated total of 0.9% speaks another Indo-European language and 1.3% speaks Asian and Pacific Island languages. An estimated total of 0.1% speak other languages (other than English but not defined).

Census Bureau Household Language estimated information from 2019 indicates 10,555 individuals have limited English proficiency; that is, they speak English less than “very well” or “not at all.” This is only 3.10% of the overall population in the service area. In the Horry County service area, of those persons with limited English proficiency, 46.5% speaks Spanish, 39.5% speaks Indo-European languages, 31.6% speaks Asian and Pacific Island languages, and 17.7% speaks all other languages.

### **2. The frequency with which LEP persons come in contact with Horry County services:**

Horry County staff has reviewed the frequency with which County Council members and County staff have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, Horry County has had no requests for interpreters and no requests for translated program documents. The Horry County staff has had very little contact with LEP persons.

### **3. The nature and importance of services provided by Horry County to the LEP population:**

There is no large geographic concentration of any type of LEP individuals in the service area for Horry County. The overwhelming majority of the population, 96.9% speak only English. As a result, there are few social, service, professional and leadership organizations within the Horry County service area that focus on outreach to LEP individuals. Horry County staff are most likely to encounter LEP individuals through office visits and phone conversations, or notifications from other County department staff as to impacts upon services area services and attendance at public meetings.

**4. The resources available to Horry County, and overall costs to provide LEP assistance:**

Horry County currently is extremely limited with regard to available resources that could be used for providing LEP assistance. However, Horry County has assessed a very limited need for these services, and has identified which of its documents would be most valuable to be translated if the need should arise. Local citizens and/or staff will likely be available to provide Spanish translation if needed, and other languages will be interpreted through bilingual staff, or a telephone interpreter line for which the County would pay a fee.

**C. Language Assistance**

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to Horry County services.

Language assistance may include interpretation, which means oral or spoken transfer of a message from one language into another and/or translation, which means the written transfer of a message from one language into another language.

How Horry County staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpreter or translations services in Spanish;
- All County departments will be provided with “I Speak” cards to assist in identifying the language interpretation needed if the occasion arises;
- Human Resources will maintain a list of bilingual employees, non-employee volunteers and interpreter services available to departments who require these services in any given situation;
- All County staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year;
- When Horry County sponsors an informational meeting or event, a staff person may greet participants as they arrive. By informally engaging participants in conversation it is possible to gauge each attendee’s ability to speak and understand English. Although translation may not be able to be provided at the event it will help identify the need for future events.
- Local interpreters for Spanish language will be provided within a reasonable time period when requested in advance;

- Language interpretation will be accessed for all other languages through volunteer or telephone interpretation service upon request when possible;
- Certain public meeting notices will be translated into Spanish;
- When staff prepares a document, or schedules a meeting, and the target audience is expected to include a higher percentage of LEP individuals, the documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population if possible;
- In the event a citizen seeking assistance from Horry County is illiterate, or an interpreter is not available, the Title VI Coordinator will be contacted and work to meet the language needs of the LEP person.

#### **D. Translation Services**

Any individual who wishes to request oral or written translation services can do so by contacting the Title VI Coordinator:

Horry County Human Resources Department  
 Title VI Coordinator  
 843-915-5230  
[smith.jackie@horrycounty.org](mailto:smith.jackie@horrycounty.org)

#### **E. Training**

Horry County Government ensures that staff has access to opportunities for regular training and educational resources (including Title VI provisions) as necessary to conduct their work responsibilities. Training opportunities are made available on a wide range of topics, including Title VI and non-discrimination issues. Horry County staff attend trainings offered by Federal and State agencies that focus on providing guidance to respective Program Administrators, as well as trainings offered by outside vendors. The following training will be made available to all staff:

- Information on the Title VI Policy and LEP responsibilities
- Description of language assistance services offered to the public
- Use of the “I Speak” cards
- Documentation of language assistance requests
- How to handle a potential Title VI/LEP complaint

#### **F. Monitoring and Updating**

##### **Monitoring of Training Responsibilities**

The Title VI Coordinator and Liaisons will maintain documentation of all in-house trainings attended by staff. Liaisons will maintain records of all outside trainings attended by department staff concerning Title VI or discrimination.

### **Monitoring and Updating the LEP Plan**

Horry County will update the LEP Plan as required based upon the information gathered concerning change in population. At a minimum, the plan will be reviewed and updated when data from the 2020 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the Horry County service area. Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether Horry County's financial resources are sufficient to fund language assistance resources needed.
- Determine whether Horry County fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

### **G. Dissemination of The LEP Plan**

The following steps will be taken to disseminate the plan:

- Post signs at Government and Justice Center notifying LEP persons of the LEP Plan and how to access language services;
- State on agendas and public notices in the language those LEP persons would understand that documents may be translated into that language upon request to the Title VI Coordinator;
- Post the LEP Plan on County website;

- Send press release to advocacy groups and/or other agencies or community groups serving LEP populations.

## **IX. HORRY COUNTY AMERICANS WITH DISABILITIES POLICY**

### **A. PURPOSE**

Titles I and II of the Americans with Disabilities Act (ADA) of 1990, requires Horry County to make its programs, services and jobs accessible to persons with disabilities. Horry County does not discriminate against qualified individuals with disabilities with regard to access to its programs, services or employment. The purpose of this Policy is to provide standard procedures for filing of Requests for Accommodation or Complaints for citizens, applicants and/or employees.

### **B. GENERAL PROCEDURE**

#### **1. CITIZENS**

Any citizen of Horry County who believes that he/she requires an accommodation, or has been discriminated against based upon a **disability as described in the ADA** with regard to the provision of a program or service by Horry County, shall have the right to submit a Request for Accommodation or a Discrimination Complaint.

#### **2. EMPLOYEES/APPLICANTS**

Any applicant or employee of Horry County who is **disabled as described in the ADA** may file a Request for Reasonable Accommodation in the event that he/she believes that such a request is necessary to perform the essential functions of his/her job. Any applicant or employee may file a Discrimination Complaint in the event that he/she has been discriminated against with respect to the hiring process, or with regard to the terms or conditions of employment.

All Complaints or Requests for Reasonable Accommodation shall be submitted to Human Resources, to the ADA Coordinator. The ADA Coordinator is the employee designated by the County Administrator with the responsibility of facilitating and coordinating all ADA issues, Complaints and Requests for Accommodation for Horry County.

### **C. CITIZEN REQUESTS FOR ACCOMMODATION**

#### **1. Informal Concern or Inquiry.**

All informal citizen inquiries or concerns regarding accessibility to Horry County programs or services should be directed to the ADA Coordinator at the Human Resources Department at **843-915-5230**. A request or inquiry may also be submitted in writing to:

**ADA Coordinator  
Horry County Human Resources Department  
P.O. Box 997  
Conway, SC 29528**

In the event that a Department receives an informal inquiry or concern from a citizen, the Department shall forward the expressed concern or inquiry to the ADA Coordinator immediately.

The ADA Coordinator will work with any Departments involved or affected, and respond directly to the citizen to any inquiry or question received on an informal basis.

## **2. Formal Requests for Accommodation.**

### **1. Filing.**

A citizen may file a Citizen Request for Accommodation in the event he/she perceives that an accommodation is necessary in order for the citizen to have the ability to utilize a program or service offered by the County. This form may be downloaded from the "Forms" section of the Human Resource website, which is located in the Horry County website, [horrycounty.org](http://horrycounty.org). All formal Requests will be directed to the ADA Coordinator via the Human Resources Department, submitted in writing to:

**ADA Coordinator  
Horry County Human Resources Department  
P.O. Box 997,  
Conway, SC 29528**

## **D. Submission of Requests to ADA Coordinator by Departments**

In the event that any Department should receive a formal Request for Accommodation by a citizen, the Department shall immediately forward such Request to the ADA Coordinator.

### **1. Investigation and Recommendation**

Upon receipt of a Request for Accommodation, the ADA Coordinator will consult the Department involved and investigate and determine whether the requested

accommodation is appropriate, feasible and/or reasonable. The ADA Coordinator will then make a recommendation, which will be countersigned by the Department Head of the affected Department. The recommendation will then be forwarded to the Assistant Administrator and County Administrator for review and approval.

## **2. Final Decision Process**

In the event that the Department Head does not agree with the recommendation of the ADA Coordinator, then the ADA Coordinator shall submit his/her recommendation to the Assistant County Administrator for review. The Assistant County Administrator may elect to approve the recommendation of the ADA Coordinator, or adopt an alternate recommendation. The Assistant County Administrator will then forward the recommended action to the County Administrator for review and approval.

## **3. Notification to Citizen**

After approval by the County Administrator, the Citizen will be notified in writing by the ADA Coordinator of the final determination with respect to the Request for Accommodation, including whether or not any accommodation will be undertaken, a description of any approved accommodation, and the estimated time frame for implementation.

## **4. Appeal**

A citizen who is aggrieved by the determination of Horry County with regard to a Request for Accommodation may appeal the decision in writing to the County Administrator, within fourteen days of the mailing of the determination by Horry County. Individuals requiring assistance in the process of completing a written appeal may obtain assistance from Human Resources. The decision of the County Administrator with respect to the Appeal shall be final and binding.

# **E. EMPLOYEE/APPLICANT REQUESTS FOR ACCOMMODATION**

## **1. Requests for Reasonable Accommodation**

In the event that an applicant or employee of Horry County wishes to request that an accommodation be extended to him/her with respect to the performance of the essential functions of his/her job, or in regard to the employment application process, this request shall be submitted in writing. The employee or applicant shall submit an Employment Request for Accommodation. This form may be downloaded from the "Forms" section of the Human Resource website, which is located in the Horry County website, [horrycounty.org](http://horrycounty.org). All Employment Requests for Accommodation shall be directed to the ADA Coordinator via the Human Resources Department, submitted in writing to:

**ADA Coordinator**

**Horry County Human Resources Department  
P.O. Box 997  
Conway, SC 29528**

**a. Submission of Requests for Accommodation to ADA Coordinator**

In the event that any Department should receive a formal or informal request by an employee or applicant requesting an accommodation pursuant to the ADA, the Department shall immediately notify the ADA Coordinator.

**b. Investigation and Recommendations**

Upon receipt of an Employment Request for Accommodation, the ADA Coordinator will consult the Department involved, and the applicant or employee, to investigate and determine whether an accommodation is appropriate, feasible and/or reasonable. The ADA Coordinator will then make a recommendation, which will be countersigned if agreed to by the Department Head. The recommendation will then be forwarded to the Assistant Administrator and County Administrator for review and approval.

**c. Final Decision**

In the event that the Department Head does not agree with the recommendation of the ADA Coordinator, then the ADA Coordinator shall submit his/her recommendation to the Assistant Administrator for review. The Assistant Administrator may elect to approve the recommendation of the ADA Coordinator, or adopt an alternate recommendation. The Assistant Administrator will then forward the recommended action to the County Administrator for review and approval.

**d. Notification to Applicant or Employee**

The applicant or employee will be notified in writing by the ADA Coordinator of the final determination with respect to the Request for Accommodation after approval by the County Administrator.

**e. Appeal**

In the event that the applicant or employee is aggrieved by the final determination of the County with respect to the Request for Accommodation, the applicant or employee may appeal in writing to the County Administrator, within fourteen days from the mailing of the written notice of the final determination. The applicant or employee shall set forth the reasons for the Appeal, and may suggest an alternative proposed accommodation from the accommodation originally requested. The decision of the County Administrator with respect to the appeal shall be final and binding.

## **F. DISABILITY DISCRIMINATION COMPLAINTS**

### **1. Employee, Applicant or Citizen Complaint of Disability Discrimination**

An employee, applicant or citizen alleging that he/she has been discriminated against on the basis of his/her status as a **qualified disabled person pursuant to the ADA** may file a Complaint. The Complaint shall be filed in writing with the Human Resources Department, by submission of a Discrimination or Harassment Complaint form. This form may be downloaded from the "Forms" section of the Human Resource website, which is located in the Horry County website, [horrycounty.org](http://horrycounty.org). All formal Complaints will be directed to the ADA Coordinator via the Human Resources Department, submitted in writing to:

**ADA Coordinator  
Horry County Human Resources Department  
P.O. Box 997  
Conway, SC 29528**

#### **a. Submission of Complaints by Departments to ADA Coordinator**

In the event that any Department should receive a formal or informal Complaint by an employee or applicant alleging discrimination based upon the ADA, the Department shall immediately notify the ADA Coordinator in the Human Resources Department.

#### **b. Investigation**

Upon receipt of a Complaint alleging Disability Discrimination, the Human Resources Department will immediately conduct a full and fair investigation. Every effort will be made to ensure that the investigation is confidential, to the extent possible. At the conclusion of the investigation, the Human Resources Department will issue a Report. In the event that the Report substantiates the allegations, appropriate corrective action will be recommended. The Complainant will be informed as to the result of the investigation. The contents of the Investigation Report will remain a confidential document that will only be divulged to the involved Department Head, Assistant County Administrator and the County Administrator.

#### **c. Final Decision**

In the event that the Department does not implement the recommendations set forth in the Investigation Report, then the Department shall submit his/her recommendations

to the Assistant County Administrator for review. The Assistant County Administrator shall make a determination as to the course of action to be implemented. The Assistant County Administrator will then forward the recommended action to the County Administrator for review and approval.

#### **d. Retaliation**

Employees, applicants, citizens and those participating in interviews during the course of any investigation are protected from retaliation. Any individual who believes he/she has been the victim of retaliation should notify Human Resources immediately.

### **G. POLICY FOR INTERPRETING SERVICES IN JUDICIAL PROCEEDINGS FOR INDIVIDUALS WHO ARE HEARING IMPAIRED**

It is the policy of Horry County Government Clerk of Courts that in those judicial proceedings where an interpreter is necessary to ensure effective participation by any party who is deaf or hard of hearing, upon reasonable notice, the Clerk will secure the services of a qualified interpreter. This policy applies to those situations where other auxiliary aids and services, such as real time transcription, are not an equally effective means of communication or are unavailable. This policy does not apply to situations that would create a fundamental alteration in the nature of the service, program or activity conducted by the courts.

Before determining the type of interpreting services to be secured, the individual with the disability will be consulted regarding the preferred method of communication (e.g., American Sign Language, Signed English or oral interpreting). In determining what type of auxiliary aid will be provided, the court will give primary consideration to the requests of the individual with the disability. The Clerk will then designate the type of services, and the date, time and place those services are required. The interpreter services will be provided at no expense to the hearing impaired individual.

Horry County Government has an ADA Coordinator who is available to assist members of the public as well as court employees and officials who need assistance regarding the Americans with Disability Act and this policy statement. The ADA Coordinator may be contacted in the Horry County Government Office of Human Resources, 843-915-7354 in the Government and Justice Building, 1301 Second Avenue, Conway, SC. 29526. Horry County Government will comply with all Federal and State laws as well as South Carolina Court Administration's requirements.

### **THE AMERICANS WITH DISABILITIES ACT: WHAT YOU SHOULD KNOW**

As required by the Americans with Disabilities Act of 1990, Horry County Government does not discriminate on the basis of disability in the operations of its

programs, services, or activities. Horry County also does not discriminate on the basis of disability in its hiring or employment practices.

Horry County Government has taken specific steps to implement the Americans with Disabilities Act.

- An ADA Coordinator has been appointed, with the responsibility of working with people with disabilities to ensure that proper accommodations are provided
- Individuals with hearing impairments are ensured effective participation in court proceedings by provision of a qualified interpreter whenever necessary

QUESTIONS, CONCERNS OR REQUESTS FOR ADDITIONAL INFORMATION REGARDING THE ADA MAY BE FORWARDED TO THE HORRY COUNTY ADA COORDINATOR:

Jacqueline Smith  
Horry County ADA Coordinator  
Human Resources Department  
Post Office Box 997  
1301 Second Avenue  
Conway, SC 29526  
Tel: 843-915-7354  
Email: [smith.jackie@horrycounty.org](mailto:smith.jackie@horrycounty.org)

## X. ENVIRONMENTAL JUSTICE PLAN FOR LOW-INCOME AND MINORITY POPULATIONS

**Environmental Justice Policy.** It is the policy of Horry County Government to ensure that all of its programs, policies and other activities do not have disproportionate adverse effects on minority and low income populations. Horry County takes a proactive approach in engaging these communities to attempt to ensure their full and fair participation in processes involving federally funded projects.

**Executive Order 12898.** Horry County Government promotes and protects the rights of community members to participate meaningfully in decisions that may affect them. Horry County follows the directives of EO 12898, which states:

“Each Federal agency must make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health, environmental, economic and social effects of its programs, policies, and activities on minority and low-income populations, particularly when such analysis is required by NEPA. The EO emphasizes the importance of NEPA's public participation process, directing that each Federal agency shall provide opportunities for community input in the NEPA process.

Agencies are further directed to identify potential effects and mitigation measures in consultation with affected communities.”

The E.O. requires agencies to work to ensure effective public participation and access to information. Each agency should translate crucial public documents, notices and hearings that relate to human health or environmental issues for limited English speaking populations when it is practical and appropriate.

## **XI. DBE POLICY STATEMENT**

Horry County Government has established a Disadvantaged Business Enterprise (DBE) Program in accordance with the regulations of the Department of Transportation (DOT), 49 CFR Part 26.

It is the policy of Horry County Government to ensure that DBEs as defined in Part 26 have an equal opportunity to receive and participate in federally funded projects. In order to accomplish this goal, the County has adopted the following guidelines:

1. To ensure non-discrimination in the award and administration of federally funded contracts;
2. To create a level playing field on which DBEs may compete fairly for federally funded contracts;
3. To ensure that DBE contractors meet the eligibility standards set forth in Part 26 before being qualified;
4. To help remove barriers to the participation of DBEs in federally funded projects.

## **XII. TITLE VI DISCRIMINATION COMPLAINT PROCEDURE**

**A. Complaint Procedures for Federally Assisted Programs and Activities-**These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, including its Disadvantaged Business Enterprise (DBE), Equal Employment Opportunity (EEO) and On-the-Job Training (OJT) Components, Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990 and the ADA Amendments Act of 2008, relating to any transportation or Public Works program or activity administered by Horry County, as well as to subrecipients, consultants, and contractors.

These procedures apply to complaints filed against a program and/or activity funded by either the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA) or the Federal Aviation Administration (FAA).

The procedures outlined herein do not obstruct or deny the right of any complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination.

Every effort will be made to resolve complaints at the lowest possible level. The option of informal mediation between the affected parties and the investigator may be utilized to

explore potential resolutions at any stage of the process. The investigator will make every effort to pursue complaint resolution, and will request information concerning the relief sought and settlement possibilities at the initial interview stage.

Any individual or community that wishes to file a Title VI complaint or discuss concerns regarding Horry County Government's process or procedures may contact:

Title VI Coordinator /Horry County Human Resources Department

Tel. [843-915-5230](tel:843-915-5230)/[smith.jackie@horrycounty.org](mailto:smith.jackie@horrycounty.org)

## **B. Eligibility**

If any individual, group of individuals or entity believes that they or any other program beneficiaries have been subjected to discrimination prohibited by Title VI as a recipient of benefits and/or services, he/she may file a Complaint with Horry County.

Title VI Complaints filed by an aggrieved party received by any employee or department should be directed to the Title VI Coordinator. Employees or departments who receive informal or formal complaints under Title VI must notify the Title VI Coordinator of the complaint as soon as possible.

Title VI Complaint forms are available on-line at [horrycounty.org](http://horrycounty.org) in the Forms section of the Human Resources site, or may be obtained in person from the Human Resources office during regular business hours.

## **C. Title VI Complaint Process for Airport Complaints:**

- 1. Airports are required under 49 CFR Part 21 to forward a copy of any written complaint based on race, color or national origin to the FAA along with a statement describing all actions taken to resolve the matter, and the results thereof.**
- 2. The Airport must notify the complainant of the right to file a complaint directly to the FAA.**
- 3. Complaint made directly to FAA; Any person who believes that he or she, individually or as a member of any specific class of persons was discriminated against based on race, color or national origin in public services or employment opportunities may file a written complaint to the FAA, office of Civil Rights, 800 Independence Ave, SW Washington, D.C. 20591.**
- 4. The complaint must be filed with the FAA no later than 180 days after the date of the alleged discriminatory act or if the discrimination is ongoing, the date the conduct was disclosed.**

## **D. Title VI Complaint Process for all other County Departments**

1. Upon receipt of a Complaint, the Title VI Coordinator will review the Complaint to determine whether it falls within the jurisdiction of the County under Title VI.
2. The Title VI Coordinator will investigate the Complaint and forward a copy of the Complaint to the Administrator, the County Attorney, and if the complaint involves a project in which Horry County is a sub-recipient, it will be forwarded to the SCDOT Title VI Coordinator for a determination of acceptability.
3. In order to be accepted, a complaint must meet the following criteria:
  - must be filed within 180 days of the alleged occurrence or issue
  - must involve a covered basis such as race, color or national origin
  - must involve a program or activity that receives Federal financial assistance
4. The SCDOT will be notified of complaints received and intent to investigate. If the SCDOT accepts the complaint it will assume responsibility for the investigation.
5. If the complaint involves a matter in which Horry County is not a sub-recipient of the SCDOT, then Horry County will conduct its own investigation and forward a Report of Investigation to the Administrator, County Attorney and affected Department.
6. In the event the Complainant is not satisfied with the results of the investigatory process, they shall be advised of their right to appeal Horry County's decision. Appeals must be received by the Administrator within 60 days of the Report's mailing to the Complainant. The decision of the Horry County Administrator with regard to the Appeal will be final.
7. Horry County Government will maintain a log of all complaints received. The log will include the name of the complainant and respondent, the basis of the complaint, the date received, the date SCDOT notified, the disposition of the complaint and an explanation of the actions taken or proposed to resolve the issue raised in the complaint.



## APPENDIX A

### TITLE VI AND ADA LANGUAGE FOR PUBLICATIONS, COMMUNICATIONS AND PUBLIC INVOLVEMENT

ALL PUBLIC MEETING NOTICES, ADVERTISEMENTS AND NOTICES TO THE PUBLIC CONCERNING MEETINGS OR NOTIFICATION OF BENEFITS AND/OR SERVICES AVAILABLE THROUGH HORRY COUNTY GOVERNMENT WHICH EITHER DIRECTLY OR INDIRECTLY INVOLVE FEDERAL FUNDING ARE REQUIRED TO INCLUDE BOTH A TITLE VI AND AN ADA NOTICE IN THE PUBLICATION.

#### 1. ENGLISH AND SPANISH VERSIONS OF TITLE VI LANGUAGE TO BE USED FOR POSTERS, WEB NOTICES, MAILINGS ETC.

##### **Title VI Notice to Public**

It is the policy of Horry County Government to assure that no person shall, on the grounds of race, color or national origin as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person who believes his/her Title VI protection has been violated may file a complaint. Complaints must be filed within 180 days of the alleged discriminatory act. For additional information concerning Title VI complaint procedures please contact:

Horry County Government, Title VI Coordinator, PO Box 997, Conway, SC 29528  
843-915-7354 [smith.jackie@horrycounty.org](mailto:smith.jackie@horrycounty.org)

Federal Transit Administration, Office of Civil Rights, East Bldg, 5<sup>th</sup> Floor-TCR  
1200 New Jersey Ave, SE, Washington, DC 20590

Federal Highway Administration, Attn: Title VI Team Leader, 1200 New Jersey Avenue,  
SE, Washington, DC 20590, Email: [nicole.mcwhorter@dot.gov](mailto:nicole.mcwhorter@dot.gov)

##### **Spanish Version -Notificación de Título VI al Público**

Es la política de Gobierno de Condado de Horry de asegurar que ninguna persona sea excluida de participación o sea negado los beneficios, o sea desicriminado bajo cualquiera de sus programas y actividades financiado con fondos federales sobre la base de raza, color o origen nacional como proveido por el Titulo VI han sido violadas, puede hacer una queja. Las denuncias deben presentarse dentro de 180 días a partir del presunto acto discriminatorio. Para informacion adicional con respect a procedimientos de quejas

de Título VI, por favor de comunicarse con la Coordinadores de Título VI, Jacqueline Smith al 843-915-7354.

**Abbreviated Versions for PUBLIC MEETING newspaper advertisements:**

Horry County Government does not discriminate on the basis of race, color or national origin, under Title VI of the Civil Rights Act. Persons who believe their access to services or programs is limited in violation of Title VI may contact the Title VI Coordinator at 843-915-7354.

Es la poliza de Gobierno de Condado de Horry de asegurar que ninguna persona sea excluida de participacion o sea negado los beneficios, o sea desicriminado bajo cualquiera de sus programas y actividades financiado con fondos federales sobre la base de raza, color o origen nacional, como proveido por el Titulo VI. Las personas que creen que su acceso a los servicios o programas es limitado en violacion del Titulo VI puede ponerse en contacto con el la Coordinadores de Titulo VI, al 843-915-7354.

**2. ENGLISH AND SPANISH VERSIONS OF AMERICANS WITH DISABILITIES ACT INFORMATION**

**Abbreviated Notice for PUBLIC MEETING newspaper advertisements- Americans with Disabilities Act (ADA) Information**

The meeting site is accessible to persons with disabilities. Accommodations for persons with disabilities may be arranged with advance notice by calling the Title VI Coordinator at 843-915-7354.

**FULL VERSION OF NOTICE-Americans with Disabilities Act (ADA) Information**

Individuals requiring reasonable accommodations may request written materials in alternate formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodations by contacting the Title VI Coordinator at 843-915-7354.

**SPANISH-Abbreviated Notice**

**Informacion sobre el Acta (ADA) para estadounidenses con discapacidades**

El lugar de la reunion es accesible par alas personas con discapacidades. Se puede hace arreglos de acomodacion reasonable par alas personas con discapacidades, con aviso anticipado, llamando al con la Coordinadores de Titulo VI, al 843-915-7354.

**FULL VERSION OF NOTICE-Informacion del Acta (ADA) para estadounidenses con discapacidades**

Los individuos que requieran acomodacion razonable pueden solicitar materials impresos en formatos alternos, interpretes de lenguaje de senas, acomodacion de accesibilidad

física, u otras acomodaciones rasonables, informado al la Coordinadores de Título VI, al 843-915-7354.

If information is needed in another language, contact (843) 915-5230.

~Si se necesita *información en otro idioma llame al (843)915-5230.*



## APPENDIX B

### EQUAL OPPORTUNITY POLICY STATEMENT

Horry County Government recognizes its moral, social, legal and economic responsibilities to extend all employment and procurement opportunities made available through Horry County Government to all eligible applicants regardless of race, creed, color, handicap, religion, national origin, sex, age, political affiliation or beliefs. All necessary steps will be taken to assure that all recruitment, employment, training, promotions, appointments, funding, utilization of services, or any aspect of program operations will comply with the above principles. This policy covers all staff, contractors, and services, either purchased or provided under any source of funds. Horry County Government commits to full compliance to all applicable portions of the Civil Rights Act of 1964 as amended, the Equal Pay Act of 1967, the Rehabilitation Act of 1973, the Uniform Guidelines on Employee Selection Procedures of 1978, and all applicable regulations of the primary funding source, and to monitor compliance with the same by all staff, contractors, and subcontractors. Failure of contractors and/or subcontractors to follow these practices of equal employment and procurement opportunities will be considered as grounds for refusal of continued or renewed funding. Failure of staff to follow these practices of equal employment and procurement opportunities shall be subject to investigation and appropriate action.



## APPENDIX C

### **HORRY COUNTY LIMITED ENGLISH PROFICIENCY PLAN**

#### **STANDARDS FOR PERSON PROVIDING INTERPRETER SERVICES IN THE DELIVERY OF COUNTY SERVICES**

The standards set forth apply to bilingual staff, contracted interpreters, volunteer interpreters, and telephone interpreter services.

#### **1. ETHICAL STANDARDS**

\*Confidentiality—All information divulged in any interpreted exchange is strictly confidential. The person interpreting may only reveal at the direction of the individual receiving services.

\*Accuracy—Any person interpreting is expected to transmit the content and spirit of the original language into the other language without omitting, modifying, condensing or adding. If there are difficulties with interpreting any information, the person interpreting should advise the individuals involved.

\*Impartiality—Any person providing interpreter services shall refrain from interjecting personal opinions or biases into the exchange. No interpreter services will be provided in the event that an assignment or situation is presented where bias or opinion may affect impartiality.

\*Conflict of Interest—Any person providing interpreter services shall inform all parties if a conflict of interest is present, and no interpreter services will be provided.

\*Acknowledgment of Limitations—Any person providing interpreter services shall decline to interpret beyond his/her training, level of experience or skills.

#### **2. COMPETENCY STANDARDS FOR INTERPRETING**

\*Self-Introduction—Interpreter shall introduce him/her self to all parties and explain role.

\*Self-Positioning—Interpreter will position him/her self to best facilitate communication amongst all parties, and speak loudly and clearly.

\*Communication of context—Interpreter will communicate all parties' content and feelings that may be expressed.

\*Speak in First Person—Interpreter shall speak in the first person when communicating to both parties, referencing "I" rather than "he/she said".

\*Neutrality—Any person providing interpreter services will remain neutral, impartial, maintain professional distance and avoid any conflict of interest.

\*Self-Correction—Interpreter will check the accuracy of his/her interpretation, and identify and correct any misinterpretation for all parties.

\*Cultural Brokering—Interpreter will share relevant cultural information with all parties and assist all speakers in reaching a mutual understanding.

\*Flow of Communication—Interpreter will manage the flow and pace of communication to preserve the accuracy and completeness of all parties' communications.

\*Complete Appropriate Documentation—Interpreter will complete appropriate documentation as may be required in the given circumstance.

### **3. GUIDELINES FOR WORKING WITH INTERPRETER**

\*Speak directly to the LEP person, not to the interpreter.

\*Do not say anything that you do not wish to be interpreted.

\*Use words, not gestures, to convey your meaning.

\*Use simple vocabulary.

\*Explain jargon and technical terms when necessary.

\*Speak in short, simple sentences.

\*Ask one question at a time.

\*Allow the interpreter to stop you and seek clarification when necessary.

\*Expect the interpreter to take notes in instances of complicated communications.

\*Be prepared to repeat yourself in different words if your message is not understood.

\*Double check through the interpreter to confirm that your message is understood.



APPENDIX D

**HORRY COUNTY GOVERNMENT**

**TITLE VI COMPLAINT FORM**

NAME \_\_\_\_\_

STREET ADDRESS \_\_\_\_\_

CITY, STATE, ZIP CODE \_\_\_\_\_

PHONE \_\_\_\_\_

NAME, POSITION AND DEPARTMENT OF PERSON WHO DISCRIMINATED AGAINST YOU:

NAME \_\_\_\_\_

DEPARTMENT \_\_\_\_\_

POSITION \_\_\_\_\_

LOCATION \_\_\_\_\_

PLEASE IDENTIFY ANY WITNESSES TO THE DISCRIMINATION AND PROVIDE CONTACT INFORMATION IF AVAILABLE:

WITNESS NAME \_\_\_\_\_

PHONE \_\_\_\_\_

WITNESS NAME \_\_\_\_\_

PHONE \_\_\_\_\_

WITNESS NAME \_\_\_\_\_

PHONE \_\_\_\_\_

DATE(S) OF DISCRIMINATION COMPLAINED OF \_\_\_\_\_

I WAS DISCRIMINATED AGAINST BECAUSE OF (CHECK ONE):

RACE  COLOR  NATIONAL ORIGIN



APPENDIX E

Request for Accommodation

HORRY COUNTY GOVERNMENT  
HUMAN RESOURCES

(843) 915-5230 | 1301 SECOND AVENUE, CONWAY, SC 29526

1. Requestor Information

First Name \*

Last Name \*

Telephone \*

Address \*

Email

City \*

State \*

Zip \*

2. I am requesting accommodation because:

I am applying for employment and the accommodation is necessary to allow me to complete the application process.

I am currently employed by Horry County. I am requesting an accommodation in order to perform the essential functions of my job.

Department \*

Job Title \*

3. Describe the functional limitation(s) caused by your disability for which you are requesting the accommodation:

4. Describe any accommodation which you believe would assist you in the (a) application process OR (b) performance of your job.

Please be as specific as possible. In the event that you perceive alternative accommodations that may provide solutions, please include information as to all available options.

5. Describe how the requested accommodation would assist you

6. Attach medical documentation of need for accommodation. (0)

ADA Supporting Documents

HR Attachments (0)

ADA HR Attachments

7. Electronic Acknowledgement

I Understand that checking this box constitutes a legal signature. \*      Date (Field Will Automatically Fill on Submission)

Individuals with questions concerning Requests for Reasonable Accommodation may contact the Horry County ADA Coordinator, at Horry County Human Resources Department, (843) 915-7354.

APPENDIX F

Horry County  
Human Resources Department  
Risk Management  
1301 Second Avenue  
Conway, SC 29526



Post Office Box 997  
Conway, SC 29528-0296

Phone: (843) 915-7354

Fax: (843) 915-6230

E-mail:

[smith.jackie@horrycounty.org](mailto:smith.jackie@horrycounty.org)

**CITIZEN REQUEST FOR ACCOMODATION**

DATE: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

EMAIL ADDRESS FOR NOTICE PURPOSES: \_\_\_\_\_

TELEPHONE NUMBER FOR CONTACT ABOUT REQUEST: \_\_\_\_\_

Request is made on behalf of myself: Yes \_\_\_\_\_ No \_\_\_\_\_

If request is made on behalf of another person, please provide the name of the person on whose behalf the Request is submitted \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

**Individuals with disabilities who wish to participate in County programs, services, or activities and who need an accommodation in order to do so are invited to present their Requests for Accommodation to the County by completing this Request for Accommodation form or by calling (843) 915-7354.**

**Please indicate the Type of Accommodation you are Requesting Below:**

\_\_\_\_\_ Community Service

Name of Activity or Service: \_\_\_\_\_

Date(s) of Activity or Service: \_\_\_\_\_

Location: \_\_\_\_\_

\_\_\_\_\_ Board/Commission Meeting

Description of Meeting: \_\_\_\_\_

Date(s) of Meeting(s): \_\_\_\_\_

Location: \_\_\_\_\_

\_\_\_\_\_ Access to County Department or Public Hearing

Access to County Department or Public Hearing: \_\_\_\_\_

Department of Hearing Description: \_\_\_\_\_

Location: \_\_\_\_\_

**Please describe the nature of the specific Accommodation you are Requesting. If you perceive multiple options that would satisfy your Request, please indicate all possible options.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Person Completing Request

\_\_\_\_\_

\_\_\_\_\_

## APPENDIX G

### CIVIL RIGHTS GRANT ASSURANCE FOR AIRPORT

This Appendix contains the general grant assurance which is incorporated in all grant agreements between Myrtle Beach International Airport (MBIA) and the FAA:

**Civil Rights.** The sponsor will comply with such rules as are promulgated to assure that no person shall, on the grounds of race, creed, color, national origin, sex, age or disability be excluded from participating in any activity conducted with or benefiting from funds received by this grant. This assurance obligated the sponsor for the period during which Federal financial assistance is extended to the program, except where the Federal assistance is to provide, or is in the form of personal or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the MBIA or transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits or (b) the period during which the sponsor retains ownership or possession of the property.

## APPENDIX H

### Standard U.S. DOT Title VI Assurances

Horry County Government (**LPA**) (hereinafter referred to as the "Recipient") HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT) through the *Federal Highway Administration (FHWA)* or the *Federal Transit Administration (FTA)*, is subject to and will comply with the following:

#### Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (§42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Non-discrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964),

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations", respectively.

#### General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that

"No person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from the Department of Transportation, including the **FEDERAL HIGHWAY ADMINISTRATION (FHWA) AND THE FEDERAL TRANSIT ADMINISTRATION (FTA)**.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

#### Specific Assurances

1. The Recipient agrees that each "activity", "facility", or "program", as defined in §§21.23(b) and 21.23(e) of 49 C.F.R. §21 will be (with regard to an "activity") facilitated, or will be (with regard to a facility (operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and, the Regulations.
2. That the Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all programs and activities and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*"Horry County Government (LPA), in accordance with Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C §§2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon, or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition or real property or an interest in real property, the Assurance will extend to the rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - (a) for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - (b) for the construction or use of, or access to, space on, over or under real property acquired, or improved under the applicable activity, project, or program.

8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

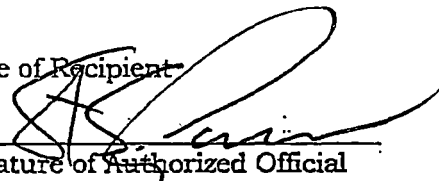
- (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
- (b) the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under any program or activity and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.

Name of Recipient

by   
Signature of Authorized Official

Dated 1/5/22

## APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

- (1) **Compliance with Regulations:** The contractor (Hereinafter includes consultants) will comply with the Acts and the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), and Federal Transit Administration (FTA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
- (2) **Non-discrimination:** The Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR part 21. This includes FHWA or FTA specific program requirement.
- (3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin. This includes FHWA or FTA specific program requirements.
- (4) **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Horry County Government (LPA)*, the *FEDERAL HIGHWAY ADMINISTRATION (FHWA)*, or the *FEDERAL TRANSIT ADMINISTRATION (FTA)* to be pertinent to ascertain compliance with such Acts, Regulations, instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Horry County Government (LPA), FHWA or the FTA, as appropriate, and will set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the Non-discrimination provisions of this contract, the *Horry County Government (LPA)* will impose such contract sanctions as it or the *FEDERAL HIGHWAY ADMINISTRATION (FHWA)*, or the *FEDERAL TRANSIT ADMINISTRATION (FTA)* may determine to be appropriate, including, but not limited to:
  - (a) withholding of payments to the contractor under the contract until the contractor complies, and/or
  - (b) cancellation, termination or suspension of the contract, in whole or in part.

(6) **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one (1) through six (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontractor procurement as the *Horry County Government (LPA)* the **FEDERAL HIGHWAY ADMINISTRATION (FHWA)**, or the **FEDERAL TRANSIT ADMINISTRATION (FTA)** may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with, litigation with a subcontractor, or supplier because of such direction, the contractor may request the *Horry County Government (LPA)* to enter into any litigation to protect the interests of the Horry County Government (LPA). In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

## APPENDIX B

### CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

**NOW, THEREFORE**, the U.S. Department of Transportation as authorized by law and upon the condition that the **Horry County Government (LPA)** will accept Title to the lands and maintain the project constructed thereon, in accordance with the appropriate legislative authority, the Regulations for the Administration of its programs and activities, and the policies and procedures prescribed by **the FEDERAL HIGHWAY ADMINISTRATION or the FEDERAL TRANSIT ADMINISTRATION** of the U.S. Department of Transportation in accordance with and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in federally assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. §2000d. to 2000d-4), does hereby remise, release, quitclaim and convey unto the SCDOT all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

#### (HABENDUM CLAUSE)

**TO HAVE AND TO HOLD** said lands and interests therein unto Horry County Government (LPA) and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Horry County Government (LPA), its successors and assigns.

The Horry County Government (LPA), in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [,] [and]\* (2) that the Horry County Government (LPA) will use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, SubTitle A, Office of the Secretary, Part 21, Nondiscrimination in federally assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and the above described land and facilities will thereon revert to and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].\*

\* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purposes of Title VI of the Civil Rights Act of 1964.

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## APPENDIX C

### CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Horry County Government (LPA) pursuant to the provisions of Assurance 7(a):

- A. The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
1. In the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all other requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of a breach of any of the above Non-discrimination covenants, Horry County Government (LPA) will have the right to terminate the [lease, license, permit, etc.] and to enter, re-enter, and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.\*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, Horry County Government (LPA) will have the right to enter or reenter said lands and facilities thereon, and the above described lands and facilities will thereupon revert to and vest in and become the absolute property of Horry County Government (LPA) and its assigns.\*

\* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

## APPENDIX D

### CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Horry County Government (LPA) pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that:
- (1) no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities,
  - (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination, and
  - (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Horry County Government (LPA) will have the right to terminate the (license, permit, etc., as appropriate) and enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.\*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Horry County Government (LPA) will have the right to enter or reenter said lands and facilities thereon, and the above described lands and facilities will thereupon revert to and vest in and become the absolute property of Horry County Government (LPA) and its assigns.\*

\* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI.

## APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities, including but not limited to:

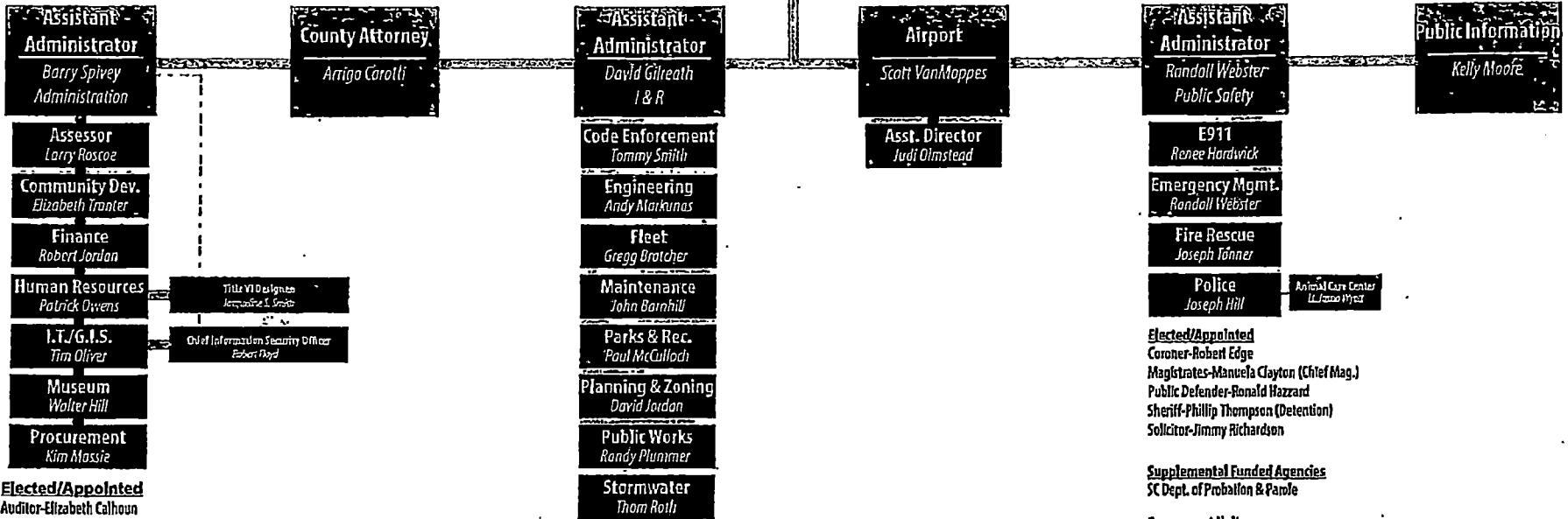
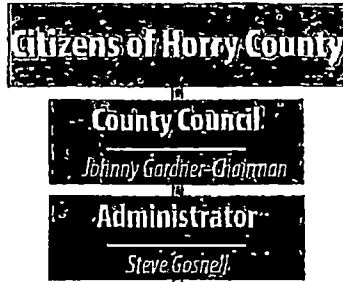
### Pertinent Non-Discrimination Authorities:

- Title VI of the 1964 Civil Rights Act (42 U.S.C. 2§000 *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. §4601) Prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects;
- The Federal-aid Highway Act of 1973, (23 U.S.C. §324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended (42 U.S.C. §6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (42 U.S.C. §47123), as amended, (prohibits discrimination on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (P.L. 100-209), (Broadened, the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§12131-12189) as implemented by Department of Transportation regulations at 49 CFR Parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. §47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures

nondiscrimination by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;

- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance, recipients must take reasonable steps to ensure that LEP persons have meaningful access to programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendment of 1972, as amended, which prohibits discrimination on the basis of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).

# Horry County Organizational Chart



APPENDIX I

**Elected/Appointed**

Auditor-Elizabeth Calhoun  
Clerk of Court-Renee Elvis  
Delegation-Danielle Novotny  
Library-Tracey Elvis-Welzel  
Master-in-Equity-Cynthia Graham Howe  
Probate-Kathy Ward  
Register of Deeds-Marion Foxworth  
Registration & Election-Sandy Martin  
Treasurer-Angle Jones  
Veteran's Affairs-Ronald Elvis Jr.

**Boards & Commissions**

Assessment Appeals  
Accommodations Tax Advisory  
Fee Appeals  
Forfeited Land Commission  
Memorial Library  
Museum  
Penalty Appeals  
Registration & Election

**Component Unit**

Shoreline Behavioral

**Supplemental Funded Agencies**

Council on Aging  
Higher Education  
Horry-Georgetown Technical College  
MB Reg. Economic Dev. Corp.  
SC Dept. of Health & Environmental Control  
SC Dept. of Social Services

**Boards & Commissions**

Arcadian Shores Special Tax  
Board of Architectural Review  
Board of Adj. & Zoning Appeals  
Construction Adj. Appeals  
Mt. Gilead Special Tax  
Open Space  
Planning Commission  
River Grande Special Tax District  
Stormwater Advisory  
Vereen Memorial Gardens

**Supplemental Funded Agen.**

Clemson Extension  
Coast RTA  
Waccamaw Regional Planning

**Component Unit**

Solid Waste Authority

**Elected/Appointed**

Coroner-Robert Edge  
Magistrates-Manuela Clayton (Chief Mag.)  
Public Defender-Ronald Hazzard  
Sheriff-Phillip Thompson (Detention)  
Solicitor-Jimmy Richardson

**Supplemental Funded Agencies**

SC Dept. of Probation & Parole

**Component Unit**

Solicitor's Intervention Programs