

RESOLUTION NO. 2019-16  
ESTABLISHING AND AGREEING TO PARTICIPATE IN  
THE LOWER SAVANNAH REGIONAL HOME CONSORTIUM

WHEREAS, the Congress of the United States has enacted the Cranston-Gonzales National Affordable Housing Act of 1990 (hereinafter the "Act") which created the HOME Investment Partnerships Program (hereinafter the "HOME" Program) to provide funds to states and local governments for affordable housing assistance with the flexibility to decide what kind of housing assistance or mix of housing assistance is most appropriate for local needs; and

WHEREAS, the City of North Augusta, South Carolina has affordable housing needs;  
and

WHEREAS, the City of North Augusta, South Carolina desires to increase affordable housing opportunities for its present and future residents, particularly for very low-income persons;  
and

WHEREAS, the City of North Augusta, South Carolina desires to enter into affordable housing development activities which are directed toward the above general purposes, and for those reasons, wishes to seek such federal funding as may be available to it pursuant to the Act; and

WHEREAS, the City of North Augusta, South Carolina desires to enter into the affordable housing activities and has determined that joint action with other units of local governments that choose to participate in accordance with the "Inter-Governmental Agreement Establishing the Lower Savannah Regional HOME Consortium" the terms of which are incorporated by reference and such relevant HUD regulations and requirements as may now or hereafter be in effect would benefit the City of North Augusta, South Carolina; and

BE IT FUTHER RESOLVED that City Administrator, Todd Glover, of the City of North Augusta, South Carolina is hereby authorized to sign the "Inter-Governmental Agreement Establishing the Lower Savannah Regional HOME Consortium FY 2019-2021 on behalf of the City of North Augusta, South Carolina as well as other documents necessary to form the Consortium and to carry out and fulfill its purposes for FY 2019-2021.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS 20th DAY OF JUNE, 2019.  
3rd

  
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David W. McGhee, Mayor Pro Tempore

ATTEST:

  
\_\_\_\_\_  
Sharon Lamar, City Clerk

THE UNITED STATES DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT

ORANGEBURG COUNTY

AND

THE COUNTY OF AIKEN, THE CITY OF AIKEN, THE  
TOWN OF JACKSON, THE CITY OF NEW ELLENTON,  
THE CITY OF NORTH AUGUSTA, THE TOWN OF PERRY,  
THE COUNTY OF ALLENDALE, THE TOWN OF  
ALLENDALE, THE TOWN OF FAIRFAX, THE TOWN OF  
ULMER, THE COUNTY OF BAMBERG, THE CITY OF  
BAMBERG, THE CITY OF DENMARK, THE TOWN OF  
EHRHARDT, THE COUNTY OF BARNWELL, THE CITY OF  
BARNWELL, THE TOWN OF BLACKVILLE, THE TOWN  
OF SNELLING, THE TOWN OF WILLISTON, THE COUNTY  
OF CALHOUN, THE TOWN OF CAMERON, THE TOWN OF  
ST. MATTHEWS, THE COUNTY OF ORANGEBURG, THE  
TOWN OF HOLLY HILL, THE TOWN OF NEESES, THE  
TOWN OF NORTH, THE CITY OF ORANGEBURG, AND  
THE TOWN OF SANTEE

AN INTERGOVERNMENTAL AGREEMENT RENEWING  
THE LOWER SAVANNAH REGIONAL HOME CONSORTIUM

EXECUTED this 4th day of June, 2019.



CITY OF NORTH AUGUSTA

Name (print): B. TODD GLOVER

Title: CITY ADMINISTRATOR

Address: 100 GEORGIA AVE., NORTH AUGUSTA, SC 29841

Telephone: 803-441-4202



Witness

Name (print): Sharon Lamar

Title: City Clerk

**ADDENDUM TO**  
**AN INTERGOVERNMENTAL AGREEMENT ESTABLISHING**  
**THE LOWER SAVANNAH REGIONAL HOME CONSORTIUM**

This ADDENDUM IS TO AN Agreement entered into and made effective June 30, 2010, by and among the Lower Savannah Council of Governments, being a regional council of governments organized and existing under Article VII, §15 of the Constitution of the State of South Carolina and Title 6, Chapter 7 of the South Carolina Code of Laws, 1976, as amended; the County of Aiken, the County of Allendale, the County of Bamberg, the County of Barnwell, the County of Calhoun and the County of Orangeburg, being political subdivisions of the State of South Carolina organized and existing under Article VIII of the Constitution of the State of South Carolina and Title 4 of the South Carolina Code of Laws, 1976, as amended; and the City of Aiken, the Town of Jackson, the City of New Ellenton, the City of North Augusta, the Town of Perry, the Town of Allendale, the Town of Fairfax, the Town of Ulmer, the City of Bamberg, the City of Denmark, the Town of Ehrhardt, the City of Barnwell, the Town of Blackville, the Town of Snelling, the Town of Williston, the Town of Cameron, the Town of St. Matthews, the Town of Holly Hill, the Town of Neeses, the Town of North, the City of Orangeburg, and the Town of Santee being municipal corporations organized and existing under Articles VII and VIII of the Constitution of the State of South Carolina and Title 5 of the South Carolina Code of Laws, 1976, as amended, for the purpose of forming the *Lower Savannah Regional HOME Consortium* (hereinafter, "LSRHC") (dba the *Orangeburg County HOME Consortium*).

WHEREAS, the Lower Savannah Council of Governments (hereinafter sometimes referred to as "LSCOG") is a regional council of governments comprised of the counties of Aiken, Allendale, Bamberg, Barnwell, Calhoun, and Orangeburg, South Carolina, as authorized at S.C. Code §6-7-110 (1976, as amended); and

WHEREAS, the Constitution of the State of South Carolina established the regional councils of governments and the General Assembly empowered the regional councils of governments at S.C. Code §6-7-10 (1976, as amended) to "enable municipalities and counties acting individually or in concert to preserve and enhance their present advantages, to overcome

their present handicaps, and to prevent or minimize such future problems as may be foreseen”;  
and

WHEREAS, the LSCOG is a regional council of governments, “exists for nonprofit and public purposes and is a public agency” of the State of South Carolina and was formed to carry out purposes exclusively related to the public benefit and whose property is public property and which is not required to pay state or local ad valorem tax, income tax, or other taxes from which public agencies are exempt as provided at S.C. Code §6-1-190 (1976, as amended); and

WHEREAS, the United States Congress enacted the Cranston-Gonzales National Affordable Housing Act of 1990 (42 USC Sections 12701, et seq.) and federal regulations (24 CFR Part 92) have been adopted pursuant thereto (hereinafter collectively referred to as the “Act”); and

WHEREAS, Title II of the Act creates the Home Investment Partnerships Program (hereinafter “HOME” or “Program” or “HOME Program”) that provides funds to state and local governments for acquisition, rehabilitation, and new construction of affordable housing; and

WHEREAS, under the Act, an organization of geographically contiguous units of general local government may act as a single unit of general local government for purposes of receiving and administering HOME funds and carrying out the purposes of the Act; and

WHEREAS, the signatories to this ADDENDUM to the Original Agreement desire to and intend to continue the established “*Lower Savannah Regional HOME Consortium*” (hereinafter “LSRHC” and/or the “Consortium”) funded under HUD HOME Program as the *Orangeburg County HOME Consortium* which as of this date shall be comprised of the counties within the Lower Savannah Council of Governments region and the counties and municipalities which have affixed their signatures hereto, with Orangeburg County acting as the lead entity.

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements contained in the original agreement (see attached), the nature and sufficiency of which are deemed sufficient, the parties to this Agreement, being the County of Aiken, the County of Allendale, the County of Bamberg, the County of Barnwell, the County of Calhoun the County of Orangeburg, the City of Aiken, the Town of Jackson, the City of New Ellenton, the City of North Augusta, the Town of Perry, the Town of Allendale, the Town of Fairfax, the Town of Ulmer, the City of Bamberg, the City of Denmark, the Town of Ehrhardt, the City of Barnwell, the Town of Blackville, the Town of Snelling, the Town of Williston, the Town of

Cameron, the Town of St. Matthews, the Town of Holly Hill, the Town of Neeses, the Town of North, the City of Orangeburg, and the Town of Santee do agree as follows:

The County of Orangeburg, South Carolina was duly authorized by its governing body to accept the designation of "Lead Entity" and is authorized to act in a representative capacity for the members of the LSRHC related exclusively to the purposes of the HOME Program. The Lead Entity, as provided herein, has overall responsibility for the Consortium's HOME Program and compliance with the program requirements.

Orangeburg County through written agreement is utilizing the Lower Savannah Council of Governments to assist in carrying out the daily administration responsibilities of the Consortium. The written agreement specifies the duties and responsibilities of the Lower Savannah Council of Governments to carry out the administrative and other functions necessary, required and desirable to fulfill the requirements of the Act, its regulations, United States Department of Housing and Urban Development ("HUD") directives and state and federal law.

#### EFFECTIVE DATE, TERM, RENEWAL AND TERMINATION

This Agreement shall be for the term of Federal fiscal years 2020, 2021 and 2022 and shall remain in effect at least until the HOME funds from Federal fiscal years 2017, 2018 and 2019 are expended on eligible activities.

Though this Agreement may be amended by the lead entity, members may withdraw from the Agreement by submitting written notification to the Lead Entity at least 60 days prior to the end of each Consortium fiscal year, which is June 30.

This Agreement is subject to automatic renewal for three-year periods. After the initial three year qualification period, each member agrees that in order to be relieved from the terms of this Agreement, it must notify the Lead Entity in writing of its intent not to participate in a renewal period at least 60 days prior to the end of the Consortium fiscal year. The Consortium fiscal year is July 1-June 30.