

VIEWPOINT



Appalachian Council of Governments Quarterly Newsletter May-June 2011

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2010 Census: Region's Growth Remains Steady; Make Up Becoming More Diverse

According to figures recently released from the 2010 Census, the ACOG Region is now home to 1,171,497 persons. This represents an increase of 13.9 percent since the 2000 Census, as compared to a statewide increase of 15.3 percent. These figures, when compared to the nationwide growth rate of 9.7 percent since 2000, indicate that our region and state continue to be considered a desirable home for new and existing residents alike.

The Region also experienced a notable increase in racial and ethnic diversity over the last decade. In 2000, whites comprised 78.1 percent of the total population, while African Americans comprised 18.9 percent. The other primary racial categories - American Indian / Alaska Native, Asian, Hawaiian / Pacific Islander, Some Other Race, and Two or More Races - collectively made up the remaining 3.0 percent of the region's population.

Recent figures from the 2010 Census reveal that whites now represent only 75.6 percent of the region's population, while the percentage represented by African Americans remained virtually unchanged from 2000 at 18.4 percent. However, the collective percentage represented by the other aforementioned racial categories has actually doubled since 2000. In addition, the region's residents claiming Hispanic ethnicity rose from 33,282 (3.2 percent) in 2000 to 67,724 (5.8 percent) in 2010. Among individual ACOG counties, Greenville saw the greatest change in percent of Hispanic population, increasing from 14,281 (3.8 percent) to 36,495 (8.1 percent). These changes in racial and ethnic diversity were most likely a result of multiple factors, one of which was an increased effort to obtain more complete counts during the 2010 Census enumeration.

The 2010 Census also reveals that the region has become somewhat older, as the percentage of the population age 65 and older increased from 12.5 in 2000 to 14.2 in 2010. Individual counties experienced increases in this demographic group to varying degrees, with Oconee County seeing the most notable change, from 15.6 percent in 2000 to 19.0 percent in 2010. The region's popularity as a retirement destination undoubtedly played a role in this phenomenon.

The data collected by the decennial census determine the number of seats each state has in the U.S. House of Representatives and is also used to distribute billions in federal funds to local communities. The 2010 Census represents the most massive participation movement ever witnessed. Approximately 74 percent of households nationwide returned their census forms by mail. The remaining households were counted by census workers walking neighborhoods throughout the United States. For questions regarding these and other demographic statistics for the region, please contact the ACOG Information Services Department.





Do Residents in Long Term Care Facilities Have Rights?

Day after day, calls come into the Long Term Care Ombudsman Program. People call regarding various issues with their loved ones - a bumped knee, a bruised head, a skin tear, a scrape, a broken bone, an ulcer, no restraints, or a fall - all in the course of a single day. What starts as a cry for help - a voice frustrated, afraid and angry - usually ends with a voice calm and reassured, because someone took time to listen! All of the concerns for help are legitimate. One of the most frequently asked questions is,

"what are my loved one's rights? **Do residents have rights?** The answer is a definite **"YES"**!"

In 1987 former President Ronald Reagan signed into law the **Omnibus Budget Reconciliation Act (OBRA)**. This was a major federal revision that changed the standards for nursing home facilities, thereby presenting an opportunity to improve long term care facilities and establish guidelines for providing a higher level of care. Every long term care home that receives state and/or federal funding must adhere to **OBRA** requirements, which consist of many titles, chapters, and subchapters. Title 42, chapter 7, subchapter XIX>1396r states the requirements for nursing facilities specifically regarding resident's rights:

A nursing facility must protect and promote the rights of each resident, including the following rights:

(i) Free choice. The right to choose a personal attending physician, to be fully informed in advance about care and treatment, to be fully informed in advance of any changes in care or treatment that may affect the resident's wellbeing, and (except with respect to a resident adjudged incompetent) to participate in planning care and treatment or changes in care and treatment.

(ii) Free from restraints. The right to be free from physical or mental abuse, corporal punishment, involuntary seclusion, and any physical or chemical restraints imposed for purposes of discipline or convenience and not required to treat the resident's medical symptoms. Restraints may only be imposed to ensure the physical safety of the resident or other residents, and only upon the written order of a physician that specifies the duration and circumstances under which the restraints are to be used (except in emergency circumstances specified by the Secretary until such an order could reasonably be obtained).

(iii) Privacy. The right to privacy with regard to accommodations, medical treatment, written and telephonic communications, visits and meetings of family and of resident groups.

(iv) Confidentiality. The right to confidentiality of personal and clinical records and to access to current clinical records of the resident upon request by the resident or the resident's legal representative, within 24 hours (excluding hours occurring during the weekend or holiday) after making such a request.

(v) Accommodation of needs. The right to reside and receive services with reasonable accommodation of individual needs and preferences, except where the health or safety of the individual or other residents would be endangered, and to receive notice before the room or roommate of the resident in the facility is changed.

(vi) Grievances. The right to voice grievances with respect to treatment or care that is (or fails to be) furnished, without discrimination or reprisal for voicing the grievance and the right to prompt efforts by the facility to resolve grievances the resident may have, including those with respect to the behavior of other residents.

(vii) Participation in resident and family groups. The right of the resident to organize and participate in resident groups in the facility and the right of the resident's family to meet in the facility with the families of other residents in the facility.

(viii) Participation in other activities. The right of the resident to participate in social, religious, and community activities that do not interfere with the rights of other residents in the facility.

(ix) Examination of survey results. The right to examine, upon reasonable request, the results of the most recent survey of the facility conducted by the Secretary or a State with respect to the facility and any plan of correction in effect with respect to the facility.

(x) Refusal of certain transfers. The right to refuse a transfer to another room within the facility, if a purpose of the transfer is to relocate the resident from a portion of the facility that is not a skilled nursing facility (for the purpose of subchapter **XVIII** of this chapter) to a portion of the facility that is a skilled nursing facility.

(xi) Other rights. Any other right established by the Secretary.

Clause (iii) shall not be construed as requiring the provision of a private room. A resident's exercise of a right to refuse transfer under clause (x) shall not affect the resident's eligibility or entitlement to medical assistance under this subchapter or a State's entitlement to Federal medical assistance under this subchapter with respect to services furnished to such a resident.

Each facility must, by law, have a Notice of Rights poster "visible and accessible to each resident and or residents in a nursing home and or continuing long term care facility."

Although not inclusive, this gives a clear picture that the residents in facilities in our state **DO HAVE RIGHTS!** Next time someone asks you, what are the rights of a loved one, a neighbor, a co-worker, a committee member, a church member, you will have an answer.



WorkLink Recognizes Board Members for Service

WorkLink Workforce Investment Board would like to thank the following board members for their service on the Board: Ray Farley of Alliance Pickens since 2003, Shae Rozakos of Anderson County Economic Development since 2008, Steve West of Duke Energy since 2005, and Jose Garcia of B2E Mobile Financial Services since 2008. We would also like to welcome to the Board Trent Acker of Alliance Pickens and Todd Bennington of BorgWarner.

Connect to WorkLink on the Web

WorkLink would like to invite your business or organization to connect with www.worklinkweb.com for employment resources. By linking to the website and other social media, you can enhance your own website and keep up with the latest workforce news in Anderson, Oconee, and Pickens Counties. Please add a link to www.worklinkweb.com or friend and follow us on Facebook - <http://www.facebook.com/worklink> and Twitter - <http://twitter.com/WorkLinkWeb>.





Seniors Rearing Young Relatives

In South Carolina, there are 90,866 children living in senior- or grandparent-headed households, which equates to about 9.0 percent of all children living in the state. Of the children living in households headed by grandparents or other senior relatives, 51,755 have neither parent present. Not surprisingly, 72 percent of grandparents are under the age of 60, and of those, 27 percent live in poverty.

If these facts are alarming to you, just imagine how those grand parents must feel. The Family Caregiver Support Program (FCSP) was designed, in part, to be an ally to those seniors who have chosen to care for young kin and provide them with a home. The FCSP recognizes the overwhelming needs that may exist in this situation for many Seniors Raising Grandchildren (SRCs) and attempts to help in a variety of ways.

Since the needs of a SRC caregiver are different for every situation, we are fortunate to have some flexibility in the way we assist them. The costs associated with a child's summer camp or school supplies are not the norm for a senior on a fixed-income. The expense of feeding an older teen can be staggering to someone who can barely pay their own utilities, medical bills and grocery expenses. The cost of clothing for a child going through a rapid growth spurt can boggle the mind. Grandparents are facing dilemmas like these on a daily basis. The Family Caregiver Support Program is designed to assist grandparents from the age of 55 and up with caring for these dependents.

One tool now available to SRCs is the website www.scupstateadrc.org. This site - for the *Aging Disability and Resource Center* - can offer a wealth of information regarding these issues and many others. To contact a Family Caregiver Advocate call 864-242-9733, or 800-925-4077, e-mail: brown@scacog.org, or bjardno@scacog.org.





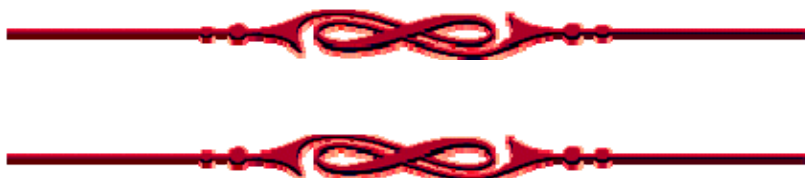
Ashton Street is one street slated for sewer improvements during this final phase of sewer upgrades in the Utica Mill Village.

City of Seneca and Oconee County Work to Complete Sewer Upgrade In Utica

The City of Seneca and Oconee County have been using US Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) funds since 2007 to upgrade the aging sewer system in the Utica Mill Village. The mill village is located just outside of Seneca, in unincorporated Oconee County, and has been in decline since the mill closed. Infrastructure and homes were beginning to deteriorate and something needed to be done to change this trend. The City, which provides water, sewer, and electrical services in Utica, and the County jointly applied for these CDBG funds through the SC Department of Commerce - Grants Administration. Through three successful grant applications, encompassing four phases of construction, over \$1,750,195 in CDBG funds have been awarded, with the City's matching of \$400,801. These improvements have or will benefit 635 people, 518 of whom are Low to Moderate Income (LMI). This is a significant redevelopment opportunity that will be followed up by Oconee County repaving all of the streets in Utica. Residents have taken notice of the improvements and have begun improving the housing stock.

Funded in April 2011, this third grant application, entitled "Utica Mill Village Phase IV Sewer Improvements", was the first time in the Appalachian Region in which a local government used the SC Department - Grants Administration's new "Ready to Go" program. Part of the overall CDBG program, "Ready to Go" projects allow a local government to submit an application that has all administrative and regulatory requirements (engineering, permitting, environmental review, LMI certification, and proof of local match) *completed prior to submitting a grant application*. That way, should the project be funded, a local government can go to bid within 60 days of the grant award. This is a more accelerated process when compared to a typical six-month environmental review and engineering process. A financial caveat to the "Ready to Go" program is that a local government has to pay its local match *prior* to application submittal, without the guarantee of funding from SC Department of Commerce - Grants Administration.

The Phase IV grant award was for \$380,195, with the City matching \$69,681 for engineering services and paying for non-LMI sewer reconnections. The upgrade of 3,938 LF of 8-inch sewer line will benefit 112 people, 102 of whom are LMI. For more information concerning this project or other grant-related programs, please contact Dirk Reis, Grants Services Director (reis@scacog.org).



Community Development Block Grant Program Fall 2011 Funding Opportunities

The Community Development Block Grant (CDBG) Program is designed to provide assistance to units of general local government in improving economic opportunities and meeting community revitalization needs, particularly for persons of low and moderate income (LMI). The Fall 2011 funding round provides opportunities to apply for CDBG funds in two categories - **Community Enrichment** and **Village Renaissance Programs**. These application requests are due to the SC Department of Commerce on August 19, 2011.

The **Community Enrichment** category is designed to fund facilities, services and other activities that strengthen existing communities and support a high quality of life within the following state priority areas:

First priority: Workforce Development, which includes Workforce Quick Jobs Training Programs and funding for library facilities or computer equipment with broadband capability to enhance skills training and education.

Second priority: Safe and Healthy Communities. This category can assist with public safety facilities and services in LMI neighborhoods, including police substations and multi-service centers designed to address crime risk factors. Also included is funding for demolition of vacant, dilapidated structures to address and support crime prevention efforts in targeted LMI neighborhoods, firefighting facilities or equipment serving LMI residential areas that provide significant improvement in service for in-town locations or areas near business centers, and health clinic facilities or equipment in underserved areas.

Third priority: Obstacles to Economic Development. These types of projects include:

- Developing energy efficiencies for CDBG-eligible public facilities that will significantly reduce operating burdens and promote sustainability
- Brownfield projects or demolition of obsolete buildings
- Building re-use / conversion of existing, vacant buildings served by existing infrastructure to new eligible uses, so long as the project does not add undue operating expenses on existing taxpayers
- Downtown streetscape infrastructure where there is significant business activity and substantial prior investments, and where CDBG funds are needed to complete the necessary infrastructure improvements. Projects must include a plan for retail/small business support.
- Planning for regional infrastructure, smart growth or sustainable development.

The **Village Renaissance Program** category is designed to assist in the development of sustainable communities through revitalization of in-town residential neighborhoods. Projects must incorporate comprehensive strategies for linking commercial revitalization successes with improvements to neighborhoods that are generally adjacent to downtown or business centers. Such neighborhoods should be within walking distance to downtown or business centers (typically no more than ½ mile from the downtown or business center).

Each project should involve a five-year, three-phased program of planning and implementation that may be funded with CDBG and/or other funds. Phase 1 requires a neighborhood revitalization plan. Phases 2 and 3 involve activities designed to implement the revitalization plan. Implementation of comprehensive neighborhood revitalization must involve multiple activities, including a public safety component. Activities may include infrastructure, public facilities, limited housing improvements, demolition and clearance of vacant and dilapidated properties, and public services, such as a crime watch program, drug or gang education, or awareness.

For more information, or to discuss a potential CDBG project, contact Dirk Reis at 864-242-9733 or reis@scacog.org.





Legislative Update

The 2011 Legislative Session was very interesting and began with several key pieces of proposed legislation. Among them were photo ID requirements, immigration laws, transparency in government, restructuring of government, the budget, and redistricting. At the close of the session on June 2, only one of these issues was addressed fully and signed into law - photo ID requirements.

Both houses discussed all other issues, but recessed before final action. It is anticipated that all other issues will be debated when both houses return on June 14 for a special session. For certain, the budget and redistricting will be addressed at that session, but the other issues may well have to wait until 2012.

As expected, the Local Government Fund (LGF) was cut again to balance the budget. Although approximately \$210 million in excess revenues were found, the LGF was not made whole. Instead, monies are anticipated to go to unemployment insurance relief for local businesses and to the local school districts. To date, amounts are not determined.

Also, an agreement between the Municipal Association of South Carolina (MASC), South Carolina Association of Counties (SCAC), School Districts and the Board of Realtors was reached regarding Automatic Transfers in Interest (ATIs). New purchasers of 6-percent properties will receive a 25-percent reprieve on property taxes. It is argued by the Board of Realtors that this will help stimulate second home purchases and commercial sales in the State.

This was a very interesting and productive legislative session. Sparks often flew, and much more debate than usual occurred. A number of issues were addressed, and many more are now ready for consideration, thereby paving the way for a very intriguing 2012.





New Standards for Ozone to be Announced in July

Since March 12, 2008, when the U.S. Environmental Protection Agency (EPA) announced the strengthened National Ambient Air Quality Standards (NAAQS) for ground-level ozone, many Upstate communities have been concerned with the region's ability to meet the new standard. EPA revised the ozone standard from 0.080 parts per million (ppm) to a level of 0.075 ppm, and five of the six Upstate counties were at risk of not meeting the new standard. On September 16, 2009, the EPA announced it would reconsider the 2008 ozone standard and delayed the designation of non-attainment areas. After several delays the EPA is set to make final non-attainment designations by July of this year. While the stay of the new Ozone standard provided a short reprieve from non-attainment designation it did not remove the threat of it.

The new standard is expected to be revised to somewhere between 0.060 ppm to 0.070 ppm, well below the revised level in the 2008 standard. Following the announcement of the new standard, the non-attainment designation process will likely not be completed until 2013. This new standard will greatly affect the Upstate, as the majority of monitors currently are near the .070 ppm range, and it is expected that the standard will be lower than .070 ppm.

Non-attainment designation would bring additional permitting requirements for new industry and roads that could negatively affect the region's future growth and development. While the stay of the new standard provided our region a short reprieve from non-attainment designation, the time to address the issue is now. It is important that each local government, as well as the COG, communicate with DHEC to identify the best course forward. There is a task force forming currently to discuss common interests and develop strategies for mitigating the impacts of the designation. If you would like to be kept up to date on the activities of this task force or if you have any questions please contact the Chip Bentley at 864-242-9733.

