

WEST VIRGINIA:

At a regular meeting of the Raleigh County Commission held on the 10th day of November, 2020 in the Commission Courtroom thereof:

CALL TO ORDER

President Dave Tolliver called the meeting to Order.

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ROLL CALL

Present: David Tolliver, President
Linda K. Epling, Commissioner
Ron Hedrick, Commissioner
Carl Roop, County Attorney
Jay Quesenberry, County Administrator
Billy Michael, Assistant County Administrator

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INVOCATION AND PLEDGE OF ALLEGIANCE

Meeting was opened with the invocation by Jay Quesenberry, County Administrator, and the recitation of the Pledge of Allegiance.

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NEW BUSINESS

EXONERATIONS

Commissioner Epling made a motion to approve 2 exonerations, 4 cancellations and 0 refunds for personal property; 0 exonerations, 1 cancellation and 0 letters of correction for real property as presented today. Motion was seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT A)

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BUDGET REVISIONS

None

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NEW EMPLOYEE – RALEIGH COUNTY SHERIFF’S OFFICE – BETH DEPOLO (TAX DEPUTY CLERK)

A motion was made by Commissioner Epling to approve the hiring of Beth DePollo as a Deputy Clerk for the Raleigh County Sheriff. Seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT B)

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APPROVAL OF REZONING – BETTY MOORE – (REZONE FROM R1 TO B1)

A motion was made by Commissioner Hedrick to rezone the James and Betty Moore real estate in Shady Spring from (R1) Rural/Residential to (B1) Commercial. Seconded by Commissioner Epling and motion carried. (SEE EXHIBIT C)

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PROCLAMATION – RALEIGH COUNTY SCHOOL CHOICE WEEK

Commissioner Epling moved to approve the Proclamation – Raleigh County School Choice Week – as presented by County Administrator Jay Quesenberry. Seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT D)

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REQUEST FOR DONATION FROM THE SALVATION ARMY FOR \$11,000.00 TO ASSIST WITH THE PURCHASE OF FOOD AND OTHER NECESSITIES FOR THE CITIZENS OF RALEIGH COUNTY

A motion was made by Commissioner Epling to approve an \$11,000 donation for the Salvation Army to assist with the purchase of food and other necessities for the citizens of Raleigh County. Seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT E)

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REQUEST FROM THE BECKLEY-RALEIGH COUNTY HEALTH DEPARTMENT FOR PERSONAL PROTECTIVE EQUIPMENT (PPE) IN THE AMOUNT OF \$14,953.09.

Commissioner Epling moved to approve the request from the Beckley-Raleigh County Health Department in the amount of \$14,953.09 for the purchase of Personal Protective Equipment. Seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT F)

-0-

REQUEST FOR DONATION FROM RALEIGH COUNTY VETERANS MUSEUM FOR \$10,000.00

A motion was made by Commissioner Epling to approve a donation of \$10,000 for the Raleigh County Veterans Museum. Seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT G)

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RETIREMENT LUNCHEON

REVIEW QUOTES AND SELECT THE CATERER

The following 4 bids were received

- | | |
|------------------------------------|-----------|
| • A & J Catering | \$5125.00 |
| • Beckley Dream Center | 5360.63 |
| • Black Knight | 5925.00 |
| • Raleigh County Convention Center | 7035.00 |

The quotes were given to Billy Michael for review and recommendation.

As recommended by Billy Michael, Commissioner Epling moved to approve A & J Catering for the Catering Service for the County Commission Annual Retirement Luncheon. Seconded by Commissioner Hedrick and motion carried.

Commissioner Epling moved to approve December 15, 2020 as the date for the County Commission Annual Retirement Luncheon. Seconded by Commissioner Hedrick and motion carried.

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PROPERTY SAFETY COMPLAINTS/ PETITIONS

AB594 (MARY LORAIN WEBB ETAL, C/O CHASITY BOYD – ROGAR LANE)

A motion was made by Commissioner Epling to accept the Petition of the Raleigh County Property Safety Enforcement Agency for AB0594 – Mary Loraine Webb, ETAL property (c/o Chasity Boyd). Seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT H)

AB596 (CARL & JOANN MARTIN, C/O TERESA MASON – 114 HERITAGE ST.)

A motion was made by Commissioner Epling to accept the Petition of the Raleigh County Property Safety Enforcement Agency for AB0596 – Carl & Joann Martin property (c/o Teresa Mason). Seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT I)

AB599 – (FRANCES JENKINS HILL – 156 OLD TURNPIKE RD)

A motion was made by Commissioner Epling to accept the Petition of the Raleigh County Property Safety Enforcement Agency for AB0599 – Frances Jenkins Hill property. Seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT J)

AB606 (JOSEPH & AMANDA ROEBUCK – 106 CHERRY AVENUE)

A motion was made by Commissioner Epling to accept the Petition of the Raleigh County Property Safety Enforcement Agency for AB0606 – Joseph and Amanda Roebuck property. Seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT K)

AB609 (KAREN & RON LINCOLN – 163 MAHAN AVENUE)

A motion was made by Commissioner Epling to accept the Petition of the Raleigh County Property Safety Enforcement Agency for AB0609 – Karen and Ron Lincoln property. Seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT L)

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APPROVE THE KLOCKNER PENTAPLAST PILOT AGREEMENT

A motion was made by Commissioner Epling to approve the Klockner-Pentaplast Agreement. Seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT M)

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APPROVAL OF THE CITIZEN PARTICIPATION PLAN (CPP) AND CITIZEN COMPLAINT PROCEDURE (CCP) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

A motion was made by Commissioner Epling to approve the Citizens Participation Plan for the Community Development Block Grant. Seconded by Commissioner Hedrick and motion carried. (SEE EXHIBIT N)

A motion was made by Commissioner Epling to approve the Citizen Complaint Procedure for the Community Development Block Grant. Seconded by Commissioner Hedrick and motion carried. (SEE EXHIBIT O)

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OLD BUSINESS

None

-0-

PUBLIC PARTICIPATION

None

-0-

APPROVAL OF MINUTES

Commissioner Epling moved to approve the September 1, 2020 minutes of this Commission. The motion was seconded by Commissioner Hedrick and motion carried.

Commissioner Epling moved to approve the September 15, 2020 minutes of this Commission. The motion was seconded by Commissioner Hedrick and motion carried.

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VACATION ORDERS

Commissioner Epling moved to approve the Vacation Orders from October 20, 2020 to November 9, 2020, inclusive. Seconded by Commissioner Hedrick and motion carried unanimously. (SEE EXHIBIT P)

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FINAL ACCOUNTINGS AND WAIVERS OF FINAL SETTLEMENT

The Objections and Exceptions of the Fiduciary Supervisor (SEE EXHIBIT Q), Waivers of Final Settlement and Final Accountings of the County Clerk (SEE EXHIBIT R) and the Order approving the appointment of Skylar James Adrick Shelton as Administrator CTA DBN of the estate of Mary Jane Cottle were read into the minutes and approved.

-0-

ADJOURNMENT

Commissioner Epling moved to adjourn until the next Commission Meeting on December 1, 2020 at 10:00 a.m. Seconded by Commissioner Hedrick and motion carried.

s/s _____
David Tolliver
President

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RALEIGH COUNTY
 SCOTT VANMETER, SHERIFF
 History Report

From Date 10/16/2020 From Year 2019 Print Date 11/05/2020
 Thru Date 11/05/2020 Thru Year 2020 Print Time 11:20:49AM
 Date Type Transaction Tax Type Personal-Supplement Page 1 of 1

EXONERATION Type Year Ticket/Suff Tax Name1/Tax Name2 Date First Half Second Half Transaction Total

P	2020	710768	WILLS THOMAS H JR	2020/10/16	-68.53	-68.53	-137.06
P	2020	704909	WILLS DOROTHY L	2020/10/19	-274.25	-274.25	-548.50
P	2020	705669	LOVELY KEVIN G	2020/10/20	-35.54	-35.54	-71.08
P	2020	717250	BOLEN THELMA MAE	2020/10/20	-17.59	-17.59	-35.18
P	2020	711902	BOLEN JAMES WILLIAM	2020/10/23	-98.08	-98.08	-196.16
P	2019	611958	KHAN ANDREA	2020/10/28	-45.22	-45.22	-90.44
P	2020	711711	CALACINO HUNTER LEE	2020/10/28	-45.22	-45.22	-90.44
Total For EXONERATION					-584.43	-584.43	-1,168.86

PENDING EXONERATION

P	2020	710768	WILLS THOMAS H JR	2020/10/16	-68.53	-68.53	-137.06
P	2020	704909	WILLS DOROTHY L	2020/10/19	-274.25	-274.25	-548.50
P	2020	711902	LOVELY KEVIN G	2020/10/23	-98.08	-98.08	-196.16
P	2019	611958	CALACINO HUNTER LEE	2020/10/27	-45.22	-45.22	-90.44
P	2020	711711	BOWYER DOROTHY	2020/10/27	-45.22	-45.22	-90.44
P	2020	708783	BOWYER TONY	2020/11/05	-76.87	-76.87	-153.74
Total For PENDING EXONERATION					-608.17	-608.17	-1,216.34

REFUND

P	2020	711534	BENNETT SUMMER	2020/10/20	84.67	84.67	169.34
S	2019	80010288	SMITH WILLIAM C	2020/10/20	86.97	82.77	169.74
Total For REFUND					171.64	167.44	339.08

At a regular session of the County Commission of Raleigh County, West Virginia, held at the Courthouse of said County, the County Commission did approve these exonerations on 11-10-20

Assessor: *[Signature]*
 Prosecuting Attorney: *[Signature]*
 County Commission: *[Signature]*



RALEIGH COUNTY
 SCOTT VANMETER, SHERIFF
 History Report

From Date 10/16/2020
 Thru Date 11/05/2020
 Date Type Transaction

From Year 2017
 Thru Year 2020
 Tax Type Real

Print Date 11/05/2020
 Print Time 11:12:18AM
 Page 1 of 1

Type	Year	Ticket/Suff	Tax Name1/Tax Name2	Date	First Half	Second Half	Transaction Total	
PENDING EXONERATION								
R	2019	53033	LOWERY MADISON JR ETAL & KIM LACY SCOTT ETAL	2020/10/29	-2.42	-2.42	-4.84	
					Total For PENDING EXONERATION	-2.42	-2.42	-4.84

[Signature]
 Assessor

[Signature]
 Prosecuting Attorney

[Signature]
 County Commission

At a regular session of the County Commission of Raleigh County, West Virginia, held at the Courthouse of said County, the County Commission did approve these exonerations on 11-10-20

County Commission of Raleigh County




116 1/2 North Heber Street
Beckley, West Virginia 25801-4522

November 10, 2020

At a regular session of the Raleigh County Commission on the 10th day of November, 2020, Beth DePolo, was presented to the Commission by Sheriff Scott Van Meter, to fill the position as Tax Deputy Clerk, for employment by Raleigh County.


David L. Tolliver, President


Linda K. Epling, Commissioner


Ronald R. Hedrick, Commissioner

C

County Commission of Raleigh County



116 1/2 North Heber Street
Beckley, West Virginia 25801-4522



November 10, 2020

James & Betty Moore
P.O. Box 1066
Beaver, WV 25813

Dear Mr. & Ms. Moore:

Please find enclosed the Order by The Raleigh County Commission, **granting** the zoning change from (R1) Rural/Residential to (B1) Commercial on property located at 104 Shady View Lane, Shady Spring, WV, Shady Spring District, Tax Map 200-1, Parcel 35, to include .47 acres, Raleigh County, West Virginia. The proposed use is to be for Real Estate Office.

If I may be of further assistance, please do not hesitate to contact me.

Sincerely,

Billy Michael
Administrative Assistant

C

County Commission of Raleigh County



116 1/2 North Heber Street
Beckley, West Virginia 25801-4522




IN THE COUNTY COMMISSION OF RALEIGH COUNTY, WEST VIRGINIA

RE: AN ORDER ON THE PETITION JAMES & BETTY MOORE TO REZONE
.47 ACRES FROM (R1) RURAL/RESIDENTIAL TO (B1)
COMMERCIAL.

It appearing to the County Commission of Raleigh County that **James & Betty Moore** filed a petition for a zoning change from **(R1) Rural/Residential** to **(B1) Commercial** for .47 acres of a parcel at the following described parcel of land with the Clerk of the County Commission of Raleigh County, that said petition was presented to the County Commission of Raleigh County, and was referred to the Raleigh County Planning and Zoning Commission for its consideration and a hearing thereon, was advertised as required by law and an Affidavit of Publication filed with the Planning and Zoning Commission, that a public hearing on said petition was duly held on October 15, 2020. After hearing evidence submitted, the Raleigh County Planning Commission **recommends the petition be approved for the proposed use of Real Estate Office.**

The County Commission, by vote has determined that the amendment be granted and that the hereinafter described property be rezoned from (R1)Rural/Residential to (B1) Commercial and that it would not be detrimental to persons or injurious to property, that tract of land situate in **Shady Spring District, Tax Map 200-1, Parcel 35,** Raleigh County, West Virginia.

Effective this 10th day of November 2020.



David L. Tolliver, President
County Commission of Raleigh
County, West Virginia

County Commission of Raleigh County



116 ½ North Heber Street
Beckley, West Virginia 25801-4522



PROCLAMATION

RALEIGH COUNTY SCHOOL CHOICE WEEK

WHEREAS, all children in RALEIGH County should have access to the highest quality education possible; and,

WHEREAS, RALEIGH County recognizes the important role that an effective education plays in preparing all students in RALEIGH County to be successful adults; and,

WHEREAS, quality education is critically important to the economic vitality of RALEIGH County; and,

WHEREAS, RALEIGH County is home to a multitude of high quality public and nonpublic schools from which parents can choose for their children, in addition to families who educate their children in the home; and,

WHEREAS, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community, and,


WHEREAS, RALEIGH County has many high-quality teaching professionals in all types of school settings who are committed to educating our children; and,

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options;

NOW, THEREFORE, the RALEIGH COUNTY COMMISSION hereby recognizes January 24 – 30, 2021 as RALEIGH County School Choice Week, and I call this observance to the attention of all of our citizens.

That the Raleigh County Commission hereby stands in support of the "Raleigh County School Week Choice."

DATED THIS THE 10th DAY OF NOVEMBER, 2020.



David L. Tolliver
President



Linda K. Epling
Commissioner



Ronald R. Hedrick
Commissioner,



DOING THE MOST GOOD

The Salvation Army
Beckley Corps

October 15, 2020

The Raleigh County Commission
116 1/2 North Heber Street
Beckley, WV 25801

Dear Commissioners,

Following is a proposal for The Salvation Army Beckley, WV, a non-profit 501(C)3 organization, for a grant in support of our 2020 – 2021 social services program. Thank you in advance for giving this important project your time and consideration.

HISTORY:

The Salvation Army Beckley Corps has been providing for the basic needs of individuals, children and families in Raleigh, Fayette, Webster, Wyoming, Greenbrier and Nicholas Counties since 1934. Currently, thanks in part to the generosity and continued support of the community, we provide individuals and families in need social service outreach, including clothing, household necessities, furniture, food assistance, rental assistance, utility assistance, prescription medicines, emergency shelter, community Thanksgiving dinner, Christmas assistance and invaluable youth programming.

CURRENT SITUATION:

The high demand for services, as a result of the prolonged COVID-19 outbreak experienced in our community over the last 8 months, has resulted in a significant increase in expenses. To ensure continuity of service we must seek additional funding. During this period, the number of energy assistance requests, meals provided and persons interviewed remained significantly above previous levels. During the same period donations have continued to decline, as many previous donors are out of work due to the pandemic. This trend is now expected to carry into 2021 and perhaps beyond.

As a result, we are writing to request a grant of \$11,000.00 to assist with the purchase of food and other necessities. This holiday season, we will again have kettles collecting funds throughout the community. Your gift will help garner increased community support for our "Rescue Christmas Campaign" to help community members in need during the holiday season and throughout the year.

I wish to personally thank you for your support of The Salvation Army Beckley Corps. It is assistance like yours that allows us to provide for the basic needs of individuals, children and families in Raleigh, Fayette, Webster, Wyoming, Greenbrier and Nicholas Counties.

Respectfully,

Victor Carroll
Sr. Regional Development Director

approved
11/10/20

Beckley-Raleigh Co. Health Dept. - Raleigh Co. Commission CARES Funds

PPE	Number	Price	Number to Purchase	Total Purchase
Level 2 - Disposable Gown - Large	Case of 100	358.90	5	1,794.50
Level 2 - Disposable Gown - X-Large	Case of 100	404.90	5	2,024.50
Exam Gloves - Small	Case of 2,000	252.90	5	1,264.50
Exam Gloves - Medium	Case of 2,000	252.90	10	2,529.00
Exam Gloves - Large	Case of 2,000	252.90	10	2,529.00
Level 2 - Surgical Face Masks	Case of 2,000	799.60	2	1,599.20
N95 Surgical Masks - Small	Case of 120	200.00	4	800.00
N95 Surgical Masks - Regular	Case of 120	200.00	4	800.00
Full Face Shields	Case of 100	63.99	4	255.96
Protective Eyewear	Case of 200	269.99	2	539.98
Keri Sanitizer Gel - 8 oz.	Case of 12	59.88	10	598.80
Lysol Disinfecting Wipes - 80 count	each	7.29	10	72.90
Clorox Wipes - 75 count	each	5.79	25	144.75
TOTAL				\$14,953.09



Raleigh County Veterans Museum

1557 Harper Road

Mailing Address: P. O. Box 3165 Beckley, WV 25801

(304)-253-1775

Where History Comes Alive!

Visit and Like us on Facebook

October 24, 2020

Mr. Dave Tolliver, President
Raleigh County Commission
116 ½ North Heber Street
Beckley, WV 25801

Dear Commissioner Tolliver,

Thank you for taking the time to speak with our members during the recent softball tournament at Fitzpatrick Park. We were especially grateful for the opportunity to set up a display featuring our antique military Willys jeep and museum information material. This was a great way for us to reach out to the public and disseminate information for what we believe is one of Raleigh County's hidden gems. We would also like to thank you for expressing interest and concern with the museums abilities to weather the storm that is the COVID-19 Virus.

As you know, the Veterans Museum had begun the 2020 year with great challenge ahead of us. The Commissions commitment to the museum and the opportunity to move into a much larger facility, brought a new era of excitement and high hopes to the museum volunteer staff. We formed a fundraising committee that included not only museum staff but both board members and local city and community leaders. 2020 was looking like it was going to be a very bright and successful year.

Since the beginning of the COVID virus outbreak that has basically cancelled most of the events and activities in the area, we have struggled to maintain a basic presence. Although the museum is currently open to the public, visitation is the lowest that we have experienced. Additionally, we were forced to open later in the year and restricted from large groups due to the confined spaces within the Museum.

We continue to hold out hope that we will be able to hold a few of the activities usually conducted in the later parts of the year. Veterans Day events like the Annual Healing Fields Ceremony, has always been a favorite of the community and a special fundraiser for the museum. With that said, the reality of the situation has been concerning. The museum currently finds itself in a revenue shortfall with a fund deficit of \$10,000 dollars. Commissioner Tolliver, COVID-19 has brought us to ask you and the Commission to consider providing the Raleigh County Veterans Museum with a financial support donation.

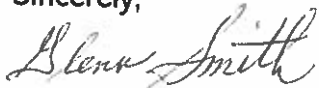
*From
Cowl
severance*

*Approved
11/10/20*

This donation will allow us to continue moving forward and keep the doors open while we deal with the restraints caused by the COVID-19 Virus.

We appreciate your consideration of this matter and any funding that would be available for the Museum.

Sincerely,

A handwritten signature in cursive script that reads "Glenn Smith".

Glenn Smith
Chairman of the Board

**MEMORANDUM OF UNDERSTANDING
FOR
KLOCKNER-PENTAPLAST**

This Memorandum of Understanding ("MOU") is by and between County Commission of Raleigh County, party of the first part, hereinafter referred to as ("RCC"), and Klockner-Pentaplast, party of the second part, hereinafter referred to as ("KP"), known collectively as the ("Parties").

RECITALS

WHEREAS, cordial relations exist between RCC and the KP; and

WHEREAS, RCC and the KP are linked by common interests in developing, promoting and improving employment opportunities in Raleigh County; and

WHEREAS, RCC and the KP desire to locate additional manufacturing equipment and products in Raleigh County to be constructed and developed at a later date for the benefit of the citizens of Raleigh County; and

NOW, THEREFORE, it is hereby agreed by and between the Parties as follows:

ARTICLE I – PURPOSE

- 1.1 The purpose of this MOU is to establish an understanding between RCC and the KP with regard to the responsibilities and obligations of each party in the increase in equipment and employment in the current location of KP.

ARTICLE II – UNDERSTANDING OF THE PARTIES

- 2.1 The RCC agrees to allow the personal property tax on the new equipment at 50% tax relief of the normal appraised value instead of 100% beginning with the first year of operation.
- 2.2 KP agrees to increase their current employment positions by a minimum 21 new employees upon completion of construction and operation.
- 2.3 The Parties understand and acknowledge that they are making a significant commitment to this collaborative effort. Accordingly, the Parties agree to expend their best efforts on the agreement.

ARTICLE III – GENERAL PROVISIONS

- 3.1 This MOU shall remain in effect from the date of execution unless terminated by either Party by sending written notice to the other Party.
- 3.2 This MOU will be governed by the laws of the State of West Virginia.
- 3.3 This MOU contains the entire understanding of Parties at this time. If either Party is unwilling or unable to continue with plans for expansion, that Party may do so by sending a written notice to the other Party.
- 3.4 This MOU may not be amended or otherwise modified except by the written agreement of both Parties. Neither Party may assign this MOU without the other Party's prior written consent. The invalidity or unenforceability of any provision(s) of this MOU will not impair the validity and enforceability of the remaining provisions.

AGREED:

County Commission of Raleigh County

Name: David L Tolliver

Title: President

Date:

Klockner-Pentaplast

Name:

Title:

Date:

RALEIGH COUNTY COMMISSION - CITIZEN COMPLAINT PROCEDURE

This citizen complaint procedure for the Raleigh County Commission is designed to receive and resolve citizen complaints and problems relative to the activities of the aforementioned program.

STEP ONE:

Any citizen residing within the service area of the Raleigh County Commission, and having a complaint or problem, shall submit his or her grievance in writing to the Raleigh County Commission. If said citizen does not have means by which to submit complaint or problem in writing, a form will be provided by the Raleigh County Commission. A copy of this form is herewith attached and identified as "Citizen Complaint Form". Section I of this form must be completed by complainant.

STEP TWO:

The Raleigh County Commission will evaluate the problem or complaint in order to determine action required for resolution. This action may be one of the following alternatives:

- I. Resolution of problem.
- II. Referral of problem to Project Administrator.

STEP TWO-A:

If alternative I is chosen, the Raleigh County Commission will resolve the problem or complaint and record the action taken for resolution or problem of complaint in appropriate area (Section II) on the "Citizen Complaint Form" and file for future reference. A copy of the form will be placed in the Project Administrator file. All parties will be notified in writing as to the resolution.

STEP TWO-B:

If alternative II is chosen, the Raleigh County Commission will make referral of problem or complaint to the Project Administrator for resolution. The Raleigh County Commission will make referral to the Project Administrator by forwarding the "Citizen Complaint Form" to the Project Administrator. Section I must be filled out completely.

The Project Administrator will mediate to resolve the problem or complaint to the mutual satisfaction of involved parties.

Upon resolution, Section II will be completed and filed. All parties will be notified in writing as to the resolution.

If the problem cannot be resolved to the satisfaction of complainant or involved parties, the Project Administrator will act as the appellate body for unresolved complaints.

Unless the complainant/appellant wishes to proceed with the issue in Circuit Court, the decision rendered by the Project Administrator will stand as final.

ADOPTED THIS 10th DAY OF November, 2020.



President

11/10/20

Clerk

RALEIGH COUNTY COMMISSION - CITIZEN COMPLAINT FORM

SECTION I

Name of Complainant: _____

Address: _____

Telephone: _____

Brief Description of Complaint or Problem: _____

Signature of Complainant

Date

SECTION II

A. Finding: _____

B. Method (Steps) of Resolution: _____

C. Disposition: _____

RALEIGH COUNTY COMMISSION CITIZENS PARTICIPATION PLAN

1. THE REQUIREMENTS

This plan describes how the Raleigh County Commission will involve citizens in the planning and assessment of the HUD Community Development Block Grant (CDBG) program in a manner which satisfies the requirements of Title 24 of the Code of Federal Regulations Part 570.486.

2. SCOPE OF CITIZEN PARTICIPATION

a. **GENERAL** – The Raleigh County Commission will provide citizens with an adequate opportunity for meaningful involvement and participation in the planning, implementation and assessment of the CDBG program on a continuing basis.

The Raleigh County Commission will provide adequate information to citizens, hold public hearings at the initial stage of the planning process to obtain views and proposals of citizens on housing and community development needs, and provide citizens an opportunity to comment on the Raleigh County Commission's proposal and community development performance. Nothing in these requirements, however, shall be construed to restrict the responsibility and authority of the governing body of the Raleigh County Commission for the development of the application and the execution of its Community Development Plan.

b. **CITIZEN PARTICIPATION PLAN** – The Raleigh County Commission in seeking a Community Development Block Grant has prepared and will follow this Citizen Participation Plan.

(1) The Raleigh County Commission will encourage citizen participation with particular emphasis on participation by persons of low and moderate income who are residents of slum and blight areas and of areas in which funds are proposed to be used.

(A) The views and proposals of citizens, including low- and moderate-income persons, members of minority groups and residents of blighted areas and neighborhoods where activities are proposed or ongoing, shall be solicited.

(B) The Raleigh County Commission will identify its community development and housing needs, including the needs of low- and moderate-income persons. This process shall involve public participation.

(C) The Raleigh County Commission will conduct a minimum of two (2) public hearings to be conducted with regard to any CDBG application.

(D) Citizen participation shall be required during each stage of the application process:

(i) Preapplication Stage:

a. Prior to the preparation of the application, the Raleigh County Commission shall, in accordance with this written plan, hold a hearing to obtain the views and proposals of citizens with regard to the determination of community development and housing needs including the needs of low- and moderate-income persons, and make available the following information:

- The amount of CDBG funds expected to be made available;
- The range of activities that may be undertaken with these funds, the kind of activities previously funded in the community (if applicable) and the progress made with respect to these activities;
- Estimated amount of CDBG funds used for activities to meet the national objective. The fact that more applications will be submitted to the State than can be funded;
- Citizen participation process must identify each proposed project, project location, including target area boundaries, if any; proposed project activity, total project cost, grant amount requested, and if the project is likely to result in relocation and anti-displacement required by 570.488.
- The process to be followed in soliciting and responding to the views and proposals of citizens in a timely manner; and
- A summary of other important program requirements.

b. Prior to public hearings, the Raleigh County Commission will provide adequate public notice (see paragraph 2(A) below).

(ii) Application Stage:

Prior to the submission of the application to the State, the Raleigh County Commission will, in accordance with

this written plan, hold a hearing to make available for comment and take into consideration those comments on the proposed application before adoption of a resolution or similar action by the local governing body authorizing the filing of the application with the State. Comments received and responses thereto, shall be included in the application. An assurance shall be submitted with the application assuring that all requirements have been met.

- Citizen participation process must identify the proposed project activity, total project cost, grant amount requested, and if the project is likely to result in relocation and anti-displacement required by 570.488.

(iii) Post Approval Stage:

Following the approval of its application, the Raleigh County Commission will in accordance with the written plan:

(a) Assure citizen participation when considering subsequent amendments to the Community Development Program; and

(b) Provide for citizen participation in the planning, implementation and assessment of the Community Development Program including the holding of a hearing on the Final Performance Report submitted to the State upon project completion.

(2) The Raleigh County Commission will provide citizens with reasonable and timely access to local meetings, information and records relating to the proposed use of funds and relating to the actual use of CDBG funds:

(A) Adequate notices of public hearings will be provided in a timely manner so as to make them accessible and understandable to all citizens, including non-English speaking persons and with accommodations for the handicapped. **Notices shall appear at least fourteen (14) days prior to the date of the meeting. The meeting must be held at least fifteen (15) days after the notice is posted and published in the newspaper.** General news releases, block ads, legal ads, or other methods deemed appropriate will be used.

All meetings and public hearings will be held in Commission Chambers unless otherwise specified in the notice of meeting. All project records and other appropriate program information will be available for public review during regular business hours. The location is accessible to the handicapped.

- (B) Meetings to obtain citizen views and to respond to citizen proposals will be scheduled at times and locations convenient for affected citizens, potential or actual beneficiaries, and including persons with disabilities.**
- (C) There is not a significant number of non-English speaking residents in the county, therefore no provisions for non-English speaking residents have been made. With advance notice, arrangements will be made to provide bilingual communications for non-English speaking residents when they will be affected by a proposal and reasonable advanced notification is given to the local government. Full public access to program information and affirmative efforts to get adequate information to citizens will be provided, particularly for persons of low- and moderate-income and residents of blighted neighborhoods and project areas.**
- (D) Low- and moderate-income persons and minorities will be ensured substantial representation on an advisory committee, if one has been created.**
- (E) In the event of an emergency, pandemic, or other circumstance(s) prohibiting in-person attendance, or should the Raleigh County Commission desire to conduct the meeting remotely, the Raleigh County Commission shall utilize telephonic, video conferencing, and/or other virtual meeting platforms to conduct business and allow for citizen input. (Pre-registration may be required).**
- (3) The Raleigh County Commission will provide for technical assistance to groups representative of persons of low- and moderate-income that request such assistance in developing proposals with the level and type of assistance to be determined by the Raleigh County Commission.**

 - (A) Technical assistance will be provided to citizen organizations and groups upon request by the Raleigh County Commission and/or Region I Planning and Development Council.**
 - (B) The assistance to be provided includes:**

 - o Evaluate community development needs;**
 - o Develop program design suitable for the CDBG application;**
 - o Support efforts to understand the CDBG program and application procedure;**
 - o Define policy;**
 - o Organize for the implementation of the program.**

- (C) Assistance may be provided in the form of presentations, informational handouts, research of a specific issue, or other short- or long-term efforts within the capability of the Raleigh County Commission and/or Region I Planning and Development Council.
- (4) The Raleigh County Commission will hold public meetings to obtain citizen views and respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, adequate notice at times and locations convenient to potential or actual beneficiaries, and with accommodations for the handicapped.
- (5) The Raleigh County Commission will provide written answers to written complaints and grievances within fifteen (15) working days where practicable.
 - (A) Citizens will be invited to submit comments on all aspects of program performance throughout the project period.
 - (B) Citizen complaints are to be submitted in writing to the Chief Elected Officer, Raleigh County Commission, 116 ½ North Heber, Beckley, WV 25802, or complaints can also be submitted by appearing at the above address during regular business hours where help will be given in filling out the standard compliance form (See attached Citizen Complaint Procedure and Citizen Complaint Form). A written response to a citizen complaint will be prepared within fifteen (15) working days where practicable. Every effort should be made to resolve the complaint within fifteen (15) days. If it cannot be resolved within fifteen (15) days, an explanation of what is occurring and a time schedule for resolution will be presented.
 - (C) Program staff will be available during normal business hours to respond to citizen inquiries/complaints.
 - (D) If the citizen is not satisfied with the Raleigh County Commission's response, the citizen should first appeal the response to the Raleigh County Commission's governing body for a final administrative review and decision.
 - (E) It is the Raleigh County Commission's responsibility to develop and administer projects. However, should a citizen complaint be filed with the State, it is understood that it will be forwarded to the Raleigh County Commission for response according to the process set forth above. The Raleigh County Commission understands that the State will judge the Raleigh County Commission's response for adequacy. State reviews will include (1) matters of regulation/law and (2) matters where the Raleigh County Commission's information is plainly inconsistent with available facts and data.
- (6) The Raleigh County Commission will maintain citizen participation files which

contain documentation that demonstrate compliance with all requirements contained in this Citizen Participation Plan.

RESOLUTION CITIZENS PARTICIPATION PLAN

WHEREAS this Citizens Participation Plan is needed to obtain the views of all citizens, including those of low- and moderate-incomes, those who are residents, owners or occupants of blighted and deteriorated areas, and those who are handicapped in order to plan, implement and assess this community's community development program;

NOW, THEREFORE BE IT RESOLVED, that the Raleigh County Commission at a regularly scheduled meeting adopts this Citizen Participation Plan.

ADOPTED THIS 10th DAY OF November, 2020



President

Clerk