

STATE OF WEST VIRGINIA  
CITIZEN PARTICIPATION PLAN  
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# **WEST VIRGINIA CITIZEN PARTICIPATION PLAN**

## **Background**

Chapter 24, Part 91, *et al.* of the Code of Federal Regulations requires the State of West Virginia, with input from citizens, local elected officials and other affected parties, to prepare a five-year U.S. Department of Housing and Urban Development (HUD) Consolidated Development Plan (Con Plan) outlining the State's goals and priorities for housing, community and economic development, and setting forth an Annual Action Plan (AAP) for the coordinated use of HUD and related federal, State, local and private sector resources to achieve these goals. The purpose of the programs and activities covered by the Con Plan is to improve the State of West Virginia by providing decent housing, a suitable living environment and increasing economic opportunities for low- and moderate-income residents.

## **Purpose**

The purpose of the Citizen Participation Plan (CPP) is to provide opportunities for citizens of this State to provide input in the development of the Con Plan, the AAP, any substantial amendments to the Con Plan and AAP, the CAPER, and to set forth local requirements for citizen participation in CDBG Program. The Plan is designed to encourage participation by low-and moderate-income and minority persons that have an interest in activities funded under the Con Plan. The State is also committed to taking whatever actions are appropriate to encourage participation by non-English speaking persons, as well as persons with disabilities.

Below are details on the citizen participation efforts and requirements for the Con Plan, any substantial amendments to the Con Plan and the AAP, the CAPER, and local requirements for citizen participation in CDBG-funded projects.

## **Consolidated Development Plan and Annual Action Plan**

The State of West Virginia's Con Plan is developed through a collaboration of the West Virginia Development Office (WVDO) and the West Virginia Housing Development (WVHDF). The Con Plan identifies and prioritizes housing and community development needs in the state and how the state intends to address these needs through the following grant programs: CDBG; HOME Investment Partnerships (HOME); Emergency Solutions Grant (ESG); the Housing Opportunities for Persons with AIDS (HOPWA) and the Housing Trust Fund (HTF)

The State of West Virginia's AAP is an annual document reporting on how that year's funding allocation for CDBG, HOME, ESG, HOPWA, and HTF will be used to achieve the goals and priorities set out in the larger Con Plan.

The following will describe the citizen participation efforts conducted by the State of West Virginia for the Con Plan and the AAP.

## **Citizen Participation in the Consolidated Plan (Con Plan):**

**Public Hearing:** The State will conduct at least two public meetings around the State in the needs-assessment phase of the consolidated development planning process to solicit local input from citizens and local elected officials on priority housing and community development needs and barriers. These meetings will be held in strategic locations around the State to ensure convenient access by the citizenry, including low- and moderate-income and minority persons. The meeting sites will be handicapped accessible, and special provisions will be made to accommodate the needs of disabled persons upon request.

A public notice stating the date, time and location of the public meetings will be published in newspapers of general local circulation at least 14 days in advance of the meetings. To broaden participation by low- and moderate-income and minority populations, a copy of the public notice will be direct-mailed or emailed to State and local organizations representative of these groups (WV Chapter-NAACP, WV Human Rights Commission, public housing authorities, Regional Planning and Development Councils (RPDC) and community action agencies). West Virginia Department of Health and Human Resources will be requested to mail or email a copy of the public notice to its local field offices with instructions to post them at its service entrances. This will further maximize participation by poverty level income populations.

**Survey:** A community needs assessment online survey of housing and community development needs and priorities will be provided through the West Virginia Development Office website. The availability of the online survey will be communicated through email or mail through partnering organizations.

**Consultation:** Prior to and during the development of the Consolidated Development Plan, the State will consult and solicit information about housing and community development needs in the state. This consultation may take the form of:

- Consultation with public agencies that assist low-income persons and areas, including state and federal agencies, local governments, regional councils of government, and nonprofit organizations. Consultation can include interviews with agency directors and/or staff and organizing focus groups with key stakeholders and partners.
- Information collection at statewide or regional housing, community development, and economic development conferences and convenings when available.

A written record will be kept of all comments received at the public hearings, and any written comments received during the public review period on the proposed Con Plan. These comments will be considered in finalizing the Plan, and a summary of the comments will be attached to the final Plan submitted to HUD.

**Final Action on the Consolidated Plan:** Upon completion of the draft Con Plan, a copy will be available for a 30-day review and comment period at least 90 days prior to the start of the program year (July 1) on the WVDO website. An executive summary of the draft plan will be sent to the State's 11 Regional Planning and Development Councils (RPDC) to circulate to the mayors and county commissions in each region. A complete copy of the draft Con Plan will also be placed in each of the RPDC offices, and a public notice of its availability for review and comment will be published in newspapers of general local circulations. The public notice will state the deadline for receipt of written comments on the Plan, and the date, time and location of at least two public hearings. The notice will be published at least 14 days in advance of the hearings. The meeting sites will be handicapped accessible, and special provisions will be made to accommodate the needs of disabled persons upon request.

### **Citizen Participation in the Annual Action Plan (AAP):**

**Public Hearing:** The State will conduct at least two public meetings around the State during the development of the AAP to solicit local input from citizens and local elected officials on priority housing and community development needs and barriers. These meetings will be held in strategic locations around the State to ensure convenient access by the citizenry, including low- and moderate-income and minority persons. The meeting sites will be handicapped accessible, and special provisions will be made to accommodate the needs of disabled persons upon request.

A public notice stating the date, time and location of the public meetings will be published in newspapers of general local circulation at least 14 days in advance of the meetings. To broaden participation by low- and moderate-income and minority populations, a copy of the public notice will be direct-mailed or emailed to State and local organizations representative of those groups (WV Chapter-NAACP, WV Human Rights Commission, public housing authorities, Regional Planning and Development Councils (RPDC), and community action agencies). West Virginia Department of Health and Human Resources will be requested to mail or email a copy of the public notice to its local field offices with instructions to post them at its service entrances. This will further maximize participation by poverty level income populations.

A written record will be kept of all comments received at the public hearings, and any written comments received during the public review period on the proposed AAP. These comments will be considered in finalizing the Plan, and a summary of the comments will be attached to the final Plan submitted to HUD.

**Final Action on the Annual Action Plan:** Upon completion of the draft AAP, a copy will be available for a 30-day review and comment period at least 90 days prior to the start of the program year (July 1) on the WVDO website. An executive summary of the draft plan will be sent to the State's 11 RPDCs to circulate to the mayors and county commissions in each region. A complete copy of the draft AAP will also be placed in each of the RPDC offices, and a public notice of its availability for review and comment will be published in newspapers of general local circulations. The public notice will state the deadline for receipt of written comments on the Plan, and the date, time and location of at least two public hearings. The notice will be published at least 14 days in advance of the hearings. The meeting sites will be handicapped accessible, and special provisions will be made to accommodate the needs of disabled persons upon request.

## Substantial Amendments

The WVDO reserves the right to make non-substantive changes (administrative amendments) to the Con Plan and the AAP without opening a public comment period. A substantive change (substantial amendment) will require public comment as outlined below.

**Definition of substantial amendment:** A substantial amendment is defined as follows:

- a proposed change in the allocation of funds between funding categories, priorities, goals, and objectives that totals 20 percent or more of the State's annual allocation of CDBG, HOME, ESG, HOPWA or HTF funds
- a proposed change to the purpose, scope, location, or beneficiaries of an activity that totals a 20 percent or more increase in the activity's total project cost
- a proposed change in the method of distribution of funds
- a proposed change to establish a new funding or allocation priority or goal
- a proposed change to carry out an activity not previously described in the action plan.

Any changes in the distribution of funds caused by changes in the Federal funding allocation after the Con Plan/AAP draft comment periods has expired will not be considered a substantial amendment.

**Citizen Participation in substantial amendments:** Substantial amendments to the approved Con Plan will be made public by public notices in newspapers and notices on the WVDO website.

**Final Action on Substantial Amendments:** The WVDO and WVHDF will receive and consider comments on substantial amendments to the Con Plan for 30 days before implementing those amendments.

## Consolidated Annual Program Performance Report (CAPER)

Each year the WVDO must submit a CAPER reporting on actions completed during the previous program year for CDBG, HOME, ESG, HOPWA and HTF as they relate to the performance measures outlined in the current Con Plan.

The following will describe the citizen participation efforts conducted by the State of West Virginia for the CAPER.

**Citizen Participation:** The WVDO will submit the CAPER to HUD within 90 days of the end of the State program year (September 30). Copies of the CAPER will be placed in each of the 11 RPDC offices, and a notice of availability for public review will be published in newspapers of general local circulation and posted on WVDO website. At least 15 days will be allowed for review and comment by the public.

**Final Action on the CAPER:** The WVDO will consider all comments received in the preparation of the CAPER. A summary of comments received will be attached to the final CAPER submitted to HUD

## Citizen Participation Requirements for Local Governments

Upon application for funding, local governments are required to submit a certification of a local CPP. Local CPP ensure that the units of local government are meeting the requirements of Title 24 of the Code of Federal Regulations Part 570.486.

The local participation plans should include the following provisions at a minimum:

- Local governments shall conduct a minimum of two (2) public hearings to be conducted with regard to any CDBG application. One hearing shall be conducted at the prior to the preparation of the application to obtain the views and proposals of citizens regarding community and housing needs including the needs of low and moderate income persons and a second public hearing shall be prior to submission of application to the State to obtain citizen input, comments or opinions with regard to such application) and with regard to program or project performance.
- Notices of public hearings to be conducted by the local government shall be published and posted within 14 days prior to the date of the hearings.
- The following information must be made available: Amount of CDBG funds expected to be made available, range of activities that can be funded by CDBG, estimated amount of CDBG funds used for activities to meet the national objective, 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
- Public hearings must be held at times and places convenient for affected citizens, potential or actual beneficiaries, and including persons with disabilities. Public hearings must contain 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.

## **Availability to the Public**

Copies of the State's Con Plan and any amendments thereto, AAP and any amendments thereto, and the CAPER will be placed in the RPDC offices, the offices of the West Virginia Development Office and the West Virginia Housing Development Fund and posted on the WVDO website. Copies of this information will be made available in a form accessible to persons with disabilities, upon request.

## **Access to Records**

The WVCAD and WVHDF will provide citizens, public agencies, and other interested parties reasonable and timely access to information and records relating to the State's Con Plan and the State's use of assistance under the programs covered by the Con Plan during the preceding five years during normal business hours.

## **Complaints**

The State will provide a timely, substantive written response in the mail or email to every written resident complaint within 15 working days from receipt related to the Con Plan, Con Plan amendments, and the CAPER.