

# COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue  
Weston WV 26452  
Phone:( 304)269-8200  
FAX: (304)269-2416  
Email: lewiscountycommission@lewiscountywv.org  
Website: lewiscountywv.org



**COMMISSIONERS:**  
Agnes Queen, President  
Rod Wyman, Commissioner  
Bobby Stewart, Commissioner

**LEWIS COUNTY COMMISSION  
110 CENTER AVENUE, 2ND FLOOR  
WESTON, WV 26452  
MEETING AGENDA  
TUESDAY, AUGUST 1, 2023**

## SILENT MEDITATION AND PLEDGE OF ALLEGIANCE

- 1. 10:00 AM**      **Call Meeting to Order** (*action required*)
- 2. 10:05 AM**      **John Breen, Lewis County Assessor**  
**RE:** Exonerations, Consolidations, Apportionments  
Draft copies will be available for review two business days prior to the meeting date. (*action required*)

## APPOINTMENTS:

- 3. 10:10 AM**      **Lewis County Convention and Visitors Bureau (CVB) Executive Director, Chris Richards:** Ms. Richards will provide the quarterly and annual report for The Lewis County CVB. (*information only*)

## CORRESPONDENCE & INFORMATION:

- 4. Upshur County Commission Meeting Agenda:** The July 27, 2023 Upshur County Commission agenda is presented for review. (*information only*)
- 5. Coal Severance Tax:** The amount deposited for the second quarter will be \$14,663.64. The first quarter deposit received was \$13,214.33. (*information only*)
- 6. Regional Jail Tax:** Lewis County received the Regional Jail Tax in the amount of \$36,046.48. The amount received for last year was \$36,134.48. (*information only*)
- 7. 26<sup>th</sup> Judicial Circuit Community Corrections Program:** Upshur/Lewis Community Corrections will be expanding services to include a treatment center, counseling services, peer support activities, and recovery meetings. The Community Corrections Board of Directors voted to approve the purchase of the property located at 18 Garton Plaza in Weston for the amount of \$146,294.60. (*information only*)

- 8. Board(s) and Committee(s) Reports:** Commission will give reports on any Board(s) or committee(s) meeting attended including: Lewis County Building Commission, Fire Association meeting, Safe Sites and Structures meeting, National Association of Counties, WV Broadband Summit, County Commissioners Association of WV Executive meeting, Ireland Neighborhood Watch, etc. *(information only)*

**BUSINESS:**

- 9. Courthouse Facilities Improvement Grant:** The application for the Courthouse Facilities Improvement Grant will be presented for consideration. The amount of the grant request is \$51,415.00. The total cost of the project is \$64,269.00 leaving the county contribution at \$12,854.00. The grant will be used for the restoration and repair of the cupolas and remainder of the roof on the historic courthouse. *(action required)*
- 10. Lewis County Planning Commission Ordinance Amendment:** The amendment to the October 10, 2010 ordinance will be presented for consideration *(action required)*
- 11. Proposal to Develop a Comprehensive Plan Update for Lewis County:** WVU Law, Land Use & Sustainable Development Law Clinic presents a proposal to develop a comprehensive plan update for Lewis County in the amount of \$20,760.00 for consideration. *(action required)*
- 12. Safe Sites and Structures:** The Lewis County Commission will consider the reorganization of the Safe Sites and Structures Committee, and Ordinance, that was approved in 2010. As part of the reorganization, the Commission will consider adopting the International Property Maintenance Code pursuant to West Virginia Code 7-1-3n as a reference to be used by the Safe Sites Committee, for the purposes of safeguarding life and property in and throughout the unincorporated parts of Lewis County West Virginia *(action required)*
- 13. Time Sheets and Leave Requests:** Sherry Rogers, Sick Leave Tina Helmick, Sick Leave *(action required)*

**ACTIONS, ESTATE SETTLEMENTS, ORDERS AND PAYMENT OF EXPENDITURES:**

- 14. Actions of the Clerk:** County Clerk Cynthia S. Rowan presents actions of the clerk in recess of the county commission for approval. Draft copies will be available for review upon request two business days prior to the meeting date. *(action required)*
- 15. Approval of Estates:** County Clerk Cynthia S. Rowan presents the estates ready for settlement to the Lewis County Commission for approval. Draft copies will be available for review upon request two business days prior to the meeting date. *(action required)*
- 16. Presentation by the County Clerk of the Orders of Prior Meeting(s):** The Lewis County Clerk presents the Orders (minutes) of previous Lewis County Commission meeting(s) for approval. Draft copies will be available for review upon request two business days prior to the meeting date. *(action required)*
- 17. Expenses for the Current Period Presented for Consideration of Payment:** Draft copies will be available for review upon request two business days prior to the meeting date. *(action required)*

**ADJOURNMENT:**

**18. With no further action being required by the Lewis County Commission the meeting will be adjourned. (*action required*)**

**LEWIS COUNTY COMMISSION MEETING MANAGEMENT**

- Regular meeting agendas will be posted and available to the public before closure two (2) business days prior to the meeting date.
- Agenda matters to be reviewed and/or considered during the meeting are at the discretion of the Lewis County Commission.
- Appointments to speak with the county commission must be scheduled before 10 AM three (3) business days prior to the meeting. Appointments will be given up to a ten (10) minute time allowance.
- Agenda items may require an executive session.
- Open discussion by Commission unless executive session is motioned per WV Code §6-9A-4.
- Input or recommendation from constitutional officers, staff or public that is not listed by name on the agenda will only be allowed if requested by the commission or required by statute.
- Those not scheduled on the agenda may sign up for public comment at a minimum fifteen (15) minutes prior to the start of the meeting. Public comment is limited to five (5) minutes per speaker.
- Motion required for consideration of vote.
- All votes unanimous unless otherwise stated.
- Roberts Rules of Order is utilized as a guide only. The Commission controls meeting management, discussion and input.
- Commissioners may participate and vote via conference call if two (2) commissioners are in attendance.

**Additional Notices**

**No Special Sessions or Work Sessions Scheduled**

# Upshur County Commission Meeting Agenda

Agenda packets are available electronically at [http://www.upshurcounty.org/agenda\\_and\\_minutes/index.php](http://www.upshurcounty.org/agenda_and_minutes/index.php) or by request to the Upshur County Commission Office at 304-472-0535.

Location: Upshur County Courthouse Annex  
If you prefer to participate by telephone, please dial 1-408-650-3123 Access Code: 272 564 045 to enter the conference call.

Date of Meeting: July 27, 2023

9:00 a.m. Moment of Silent Meditation --- Pledge of Allegiance  
Approval of Minutes:  
• July 20, 2023

9:15 a.m. Lacy Ramsey, Executive Director of the Upshur County Convention and Visitor's Bureau – Annual Report

9:30 a.m. Consider property acquisition request from the 26<sup>th</sup> Judicial Circuit Community Corrections Program for a second location in Lewis County. \*

*Item may lead to Executive Session per WV Code §6-9A-4*

## Items for Discussion / Action / Approval:

1. Review and approval of revised James W. Curry Wilderness Area Hunting Permit. \* [Pages 4-6](#)
2. Review and approval of a Bear Hunting Application for the James W. Curry Wilderness Area. \* [Pages 7-10](#)
3. Review and signature of WV Communities Risk Pool Coversheet to Member Agreement. The total annual contribution including worker's compensation is two hundred twenty-nine thousand, two hundred fourteen dollars (\$229,214). \* [Pages 11-14](#)
4. Consider Application for Community Use of Buildings, Equipment and Grounds filed by Craig Presar, WVU Extension Agent, on behalf of Upshur County Youth Livestock. This organization is requesting use of the Youth Livestock Facility beginning Tuesday, July 31, 2023 through August 6, 2023 from 7:30 a.m. until 10:30 p.m. to conduct a youth livestock show and sale. A Certificate of Liability Insurance has been included with the request. \* [Pages 15-16](#)
5. Correspondence from J. Michael Coffman, Sheriff, requesting the employment of Derek V. Long, as part-time Home Incarceration Supervisor, effective July 30, 2023. Upon approval, Mr. Long will work no more than 15 hours per week in this capacity. \*  
*Item may lead to Executive Session per WV Code §6-9A-4* [Under Separate Cover](#)
6. Approval to hire Misty Carpenter as full-time Deputy County Clerk, effective August 7, 2023, pending background check. \* [Under Separate Cover](#)
7. Approve Invoices for Payment, Purchase Card Invoices for Payment, Budget Revisions / Financial Reports or Information, Correction of Erroneous Assessments, Exonerations/Refunds, Grant Updates / Requests for Reimbursements, Final Settlements, Vacation Orders, Consolidation of Land Tracts, Facility Maintenance Concerns or Updates, Road Name Requests, Project Reports / Updates, Request to Attend Meetings, Request for Day(s) Off.



**For Your Information:**

**(Certain Items May Require Discussion, Action and/or Approval by the Commission)**

1. Audit report of the Upshur County Commission for the fiscal year that ended June 30, 2022. Report is available for public review in the Upshur County Commission Office. [Under Separate Cover](#)
  
2. Upshur County Fire Board, Inc. Cumulative Financial Reports FY23 – July 1, 2022 through June 30, 2023. Pages 17-29
  
3. Upshur County Sheriff's Financial Statement for period ending June 30, 2023. Pages 30-31
  
4. Correspondence from Kris Warner, Executive Director of the West Virginia Economic Development Authority, announcing a new 2023 Equipment Financing Program to support business retention in West Virginia. Page 32
  
5. Correspondence from Tabatha R. Perry, County Administrator, notifying Sydney Wilson that a site visit was conducted on July 18, 2023 in reference to personal items being present on the Upshur County FEMA lot – (Parcel Number 5-9J-22). A request has been made to remove a few remaining items within 30 calendar days. Page 33
  
6. Approval of Lewis-Upshur Animal Control Facility Volunteer, Louise Bosley. \* [Under separate cover](#)
  
7. Upshur County Mileage Reports – June, 2023
  - Addressing and Mapping Page 34
  - Dog Pound Page 35
  - Emergency Management Page 36
  - Maintenance Pages 37-39
  - Parks & Recreation Page 40
  - Sheriff Page 41
  - Upshur 911 Page 42
  
8. Public Notices:
  - a) Newsletters and/or Event Notifications:
    - None
  - b) Agendas and/or Notice of Meetings:
    - Upshur County Parks & Trails July 25, 2023 Page 43Meeting Minutes:
    - Upshur County Youth Camp Board June 6, 2023 Pages 44-45
  - c) Meetings: **\*Dates and times of monthly board meetings are viewable at:**  
<http://cms4.revize.com/revize/upshurwv/calendar.php>  
or go to [www.upshurcounty.org](http://www.upshurcounty.org) and click on the board meetings calendar box on the main page.
  
9. Appointments Needed or Upcoming:

*\*\*\*If you are interested in serving on an Upshur County board, please submit your letter of interest to the Commission Office at 91 W. Main St., Suite 101, Buckhannon, WV 26201 or [chughes@upshurcounty.org](mailto:chughes@upshurcounty.org). Upcoming term expirations are listed in this section of the agenda; however, letters of interest can be submitted at any time. Letters of interest for boards that do not currently have a vacancy will be held until a vacancy occurs. Please note that submitting a letter of interest does not guarantee appointment. \*\*\**

Newsletters and/or Event Notifications, Agendas and/or Notices of Meetings, Meeting Minutes and Scheduled Meetings can all be found by visiting: [http://www.upshurcounty.org/agenda\\_and\\_minutes/index.php](http://www.upshurcounty.org/agenda_and_minutes/index.php)

Tabled Items

(Certain Items May Require Discussion, Action and/or Approval by the Commission)

Next Regular Meeting of the Upshur County Commission

August 10, 2023 --- 9:00 a.m.

Upshur County Courthouse Annex

**\*\*The Commission Meeting scheduled for August 3, 2023 has been CANCELLED\*\***

**From:** Tina Helmick  
**Sent:** Thursday, July 20, 2023 8:09 AM  
**To:** srogers lewiscountywv.org  
**Subject:** FW: 25% Coal Severance Tax

Please add to the agenda.

**From:** afarnsworth lewiscountywv.org <afarnsworth@lewiscountywv.org>  
**Sent:** Wednesday, July 19, 2023 4:22 PM  
**To:** Tina Helmick <thelmick@lewiscountywv.org>  
**Subject:** 25% Coal Severance Tax

Hi, we just received notice that the 25% Coal Severance Tax will be deposited. The amount will be \$14,663.64. The last time we received this was 4/2023 and it was for \$13,214.33. Will you please add this to the agenda?  
Thanks!

Amanda Farnsworth  
Lewis County Assistant Chief Tax Deputy  
110 Center Ave  
Weston, WV 26452  
Phone 304-269-8222  
Fax 304-269-8698

**srogers lewiscountywv.org**

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**From:** Tina Helmick  
**Sent:** Monday, July 17, 2023 3:49 PM  
**To:** afarnsworth lewiscountywv.org  
**Cc:** srogers lewiscountywv.org  
**Subject:** RE: Regional Jail Tax

Yes, we will get it added. Thank you.

**From:** afarnsworth lewiscountywv.org <afarnsworth@lewiscountywv.org>  
**Sent:** Monday, July 17, 2023 11:15 AM  
**To:** Tina Helmick <thelmick@lewiscountywv.org>  
**Subject:** Regional Jail Tax

Hi, I just wanted to let you know that we received the Regional Jail Tax. This year we received \$36,046.48. Last year we received \$36,134.48. Could you please add to the agenda?  
Thanks!

Amanda Farnsworth  
Lewis County Assistant Chief Tax Deputy  
110 Center Ave  
Weston, WV 26452  
Phone 304-269-8222  
Fax 304-269-8698





**26th Judicial Circuit Community Corrections**

Upshur County Office  
85 West Main Street  
Buckhannon, WV 26201  
Phone - (304) 472-8548  
Fax - (304) 472-8735

Lewis County Office  
111 Court Avenue  
Weston, WV 26452  
Phone - (304) 269-9162 or  
(304) 269-8574  
Fax - (304) 269-8593

Email - 26judicialccc@gmail.com

July 25, 2023

Lewis County Commission

110 Center Ave

Weston, WV 26452

Dear Commissioners,

On behalf of the 26<sup>th</sup> Judicial Circuit Community Corrections Program, I would like to inform you that the Community Corrections Board voted and unanimously approved to purchase an office building for the Lewis County Day Report Center Treatment Center located at 18 Garton Plaza Weston, WV 26452 contingent upon the building passing a building inspection. The building did pass its inspection, the cost of the building is \$146,294.60. The building is in a lease with Mountain State Physical Therapy until December 2023 and Community Corrections will receive the lease payments of \$1,000.00 per month once they close on the property until the tenant's lease expires. Community Corrections is an ever-growing program and expansion is vital to the sustainability of it. With the addition of a treatment center, we will have more room to expand groups, counseling services, peer support activities, recovery meetings, and so much more. This building has a very large open area which will allow for larger groups, both of our current offices are limited to max groups of 10-12. Having a treatment center will also allow more opportunities for offenders, and the general public once we get established and will be an asset to the communities in which we serve. If you have any questions feel free to contact me.

Thanks,

Cheyenne Troxell

Community Corrections Program Director



**26th Judicial Circuit Community Corrections**

Upshur County Office  
85 West Main Street  
Buckhannon, WV 26201  
Phone - (304) 472-9548  
Fax - (304) 472-8795

Lewis County Office  
111 Court Avenue  
Weston, WV 26452  
Phone - (304) 269-9162 or  
(304) 269-8674  
Fax - (304) 269-8693

Email - 26judicialccc@gmail.com

July 25, 2023

Upshur County Commission  
91 W. Main Street, Suite 101  
Buckhannon, WV 26201

Dear Commissioners,

On behalf of the 26<sup>th</sup> Judicial Circuit Community Corrections Program, I would like to inform you that the Community Corrections Board voted and unanimously approved to purchase an office building for the Lewis County Day Report Center Treatment Center located at 18 Garton Plaza Weston, WV 26452 contingent upon the building passing a building inspection. The building did pass its inspection, the cost of the building is \$146,294.60. The building is in a lease with Mountain State Physical Therapy until December 2023 and Community Corrections will receive the lease payments of \$1,000.00 per month once they close on the property until the tenant's lease expires. Community Corrections is an ever-growing program and expansion is vital to the sustainability of it. With the addition of a treatment center, we will have more room to expand groups, counseling services, peer support activities, recovery meetings, and so much more. This building has a very large open area which will allow for larger groups, both of our current offices are limited to max groups of 10-12. Having a treatment center will also allow more opportunities for offenders, and the general public once we get established and will be an asset to the communities in which we serve. If you have any questions feel free to contact me.

Thanks,

A handwritten signature in black ink, appearing to be "Cheyenne Troxell", written in a cursive style.

Cheyenne Troxell

Community Corrections Program Director



26TH JUDICIAL CIRCUIT COMMUNITY CORRECTIONS

Upshur County Office  
85 West Main Street  
Buchannon, WV 26201  
Phone: (304)-472-9568  
Fax: (304)-472-8735

Lewis County Office  
230 E First Street  
Weston, WV 26452  
Phone: (681)-822-1010  
Fax: (681)-822-1011

Email - 26judicialkccc@gmail.com

Upshur/Lewis Community Corrections  
Special Board Meeting March 13, 2023  
6:00pm, Lewis County Day Report Center

The 26<sup>th</sup> Judicial Circuit Community Corrections of Lewis and Upshur Counties, West Virginia held a Special Board Meeting at the Lewis County Day Report Center on March 13, 2023. Project Director Rodney Rolenson called the meeting to order at 6:01pm. Those in attendance were: Project Director Rodney Rolenson, Program Director Cheyenne Troxell, Treatment Coordinator Samantha Ribeiro Matos, Sid Phillips, Jordan Hedrick (by Zoom), Bobby Stewart, Gene Edwards, Sheriff Virgil Miller (by phone), Doug Bush, Bob Simpson, Larry Williams (by Zoom), Laura McDaniels (by Zoom), and Addie Helmick (by zoom).

- Call to order 6:01pm, Project Director Rodney Rolenson
- Motion to approve previous minutes by Gene Edwards, second by Bob Simpson
- Budget Report - \$1,768,883.25
- BIPPS program update – still no facilitator, still trying to figure out payment setup for interested facilitators
- Home confinement update: Upshur 29, Lewis 11
- Community Corrections Referrals: Since July 1, 2022, Upshur 175, Lewis 29 – TOTAL 253 (reflects fiscal year, not the current year totals)
- Request to install new furnace in Upshur office – called for quotes only one called back or came (Justin Birch, Approach Contracting) quoted \$14,800 for Train furnace and work as quoted including complete install – motion to approve by Virgil Miller, second by Gene Edwards
- Discussion of property acquisition in Lewis County – looking at property at Garton Plaza to create a treatment center for classes and counseling and meetings due to lack of outside outpatient services – property is currently physical therapy office and rented until December 2023 – listed for \$144, 900.00 and had a new roof approximately 10 years ago, new carpet, renovations done and a new HVAC system in 2014 – HOA Fee of \$110 per month to include snow removal and outdoor lighting – motion to move ahead, require full inspection, and ensure no restrictions (covenants) by Larry Williams, second by Bob Simpson
- Motion to adjourn at 6:43pm by Bob Simpson, second by Gene Edwards
- Next Board Meeting –May 8, 2023 at the Upshur County Day Report Center at 6:00pm

X \_\_\_\_\_

X \_\_\_\_\_

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**srogers lewiscountywv.org**

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**From:** Chris Richards <chrissyrichards63@gmail.com>  
**Sent:** Tuesday, July 25, 2023 4:07 PM  
**To:** srogers lewiscountywv.org  
**Subject:** Agenda

Hey sweetie,

I need to be added to the next agenda to turn in my quarterly and year end reports pretty please. Let me know when I need to show up... Lol

Thank you!

Chrissy

Chrissy Richard's

Lewis County CVB

Executive Director

499 US HWY 33 East

Weston, WV 26452

304-269-7328

IN THE MATTER OF THE CREATION OF A LEWIS PLANNING COMMISSION (AMENDED):

Now this the 10 day of October, 2010 came on for hearing the matter of establishing a Planning Commission for Lewis County, West Virginia, at which it is proposed to include all of the land lying within Lewis County, West Virginia in the planning area.

For the testimony and evidence presented and matters and things appearing before the Commission, the Commission does find that such a Planning Commission is needed for the purpose of development and planning of Lewis County.

WHEREFORE, premises considered, pursuant to the authority vested in the Commission by WV Code §8A-2-1, it is hereby ordered, adjudged and decreed that a Lewis County Planning Commission be created and that the area of planning shall include all of the lands lying within said county, and said commission shall have 7 members, subject to later revision. Said commission is hereby empowered to carry out all the purposes and objectives contained in WV Code §8A-2, and said commission shall be known as the Lewis County Planning Commission.

AMDENDED this 1st day of August 2023 to reflect the actual number of members; originally approved by Lewis County Commission on the 10<sup>th</sup> day of October 2010.

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Agnes Queen, President

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Rod Wyman, Commissioner

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Bobby Stewart, Commissioner

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Agnes Queen, President

**Proposal to Develop a Comprehensive Plan Update for Lewis County**

Date	Services Performed By:
July 19, 2023	Land Use and Sustainable Development Law Clinic West Virginia University College of Law 101 Law School Drive, Morgantown, WV 26506 (304) 293-2757 www.landuse.law.wvu.edu

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The Land Use and Sustainable Development Law Clinic at the West Virginia University College of Law (“Land Use Clinic”) proposes to develop a Comprehensive Plan Update for the Lewis County Commission at a cost not to exceed \$18,840. This cost may be spread across two budget years, at the option of the County. The Comprehensive Plan will meet all statutory requirements for compliance with the West Virginia Code.

The Land Use Clinic is the leading provider of planning services in the state of West Virginia. The Land Use Clinic has worked with numerous communities to draft comprehensive plans and land use ordinances in accordance with the requirements of the West Virginia Code. In addition, the Land Use Clinic focuses on outreach and education to train local government officials to promote sustainable land use policies and practices across the state. The Clinic has extensive experience in developing county comprehensive plans. County comprehensive plans that have been developed by the Clinic include Calhoun County, Wirt County, Mercer County, McDowell County, Wyoming County, Doddridge County, and Harrison County. The Land Use Clinic also has experience in Lewis County with the development of the City of Weston’s Comprehensive Plan (2014) and Zoning Ordinance (2019).

This proposal is structured to meet minimum statutory requirements and use Land Use Clinician time in an efficient way to keep costs down for the benefit of Lewis County. The proposed budget includes all planning commission meetings to be conducted in person. However, some meetings could be conducted via Zoom to minimize Clinician travel and lower the proposed budget. In addition, the timeline is contingent on homework assignments being completed by planning commission members in a timely manner and appropriate participation at meetings by ensuring quorum is achieved.

The proposal also incorporates the Town of Jane Lew into the comprehensive plan process. The mandatory elements of a comprehensive plan specific to the town would be integrated throughout the County Plan. The Town of Jane Lew must participate throughout the planning process. During the adoption phase, the Town of Jane Lew would then have to “consent” to the

County Comprehensive Plan and the plan would then officially be considered the town's plan. This integrated process will keep the cost low compared to a traditional stand-alone municipal comprehensive plan. If the county and/or town desires a more detailed approach, then additional time and cost may be warranted beyond the base cost listed above.

### **Qualifications of the Land Use Clinic**

The vision of the Land Use Clinic is to improve the quality of life in West Virginia through land use planning, land conservation, and education. Over the last ten years, the Land Use Clinic has supported over 50 communities, including 11 counties, with the development of 49 comprehensive plans and 22 zoning ordinances. For example, the Land Use Clinic has worked or is currently working with the following local governments:

- City of Huntington (Comprehensive Plan and Zoning Ordinance)
- City of Philippi (Zoning Ordinance)
- City of Bluefield (Comprehensive Plan)
- Calhoun County (Comprehensive Plan)
- Wirt County (Comprehensive Plan)
- Greenbrier County (Comprehensive Plan and Zoning Amendments)
- Mercer County (Comprehensive Plan)
- McDowell County (Comprehensive Plan)
- Wyoming County (Comprehensive Plan)
- City of Weston (Comprehensive Plan and Zoning Ordinance)

### **Project Team**

Christy Burnside DeMuth, AICP, Land Use Planner would lead the effort with support from Jared Anderson, AICP, Land Use Attorney, and Whitney Morgan, Land Use Clinician.

**Christy DeMuth** is the Land Use Planner at the Land Use and Sustainable Development Law Clinic. Christy received her Bachelor of Science in Environmental Resources Management from Penn State in 2003 and a Master of Science in Geography from the Indiana University of Pennsylvania in 2005. She began her career in government, first working at Peters Township, a suburb of Pittsburgh, in the Planning Department and then in the Department of Economic Development in Allegheny County, the second largest county in Pennsylvania. In 2006, DeMuth began planning work in the private sector in Pittsburgh, where she managed several planning projects, such as comprehensive plans, zoning ordinances, subdivision and land development ordinances, planning studies, economic development plans and corridor studies. As a project manager, Christy was responsible for coordinating public participation efforts for all her clients, which included facilitating numerous public meetings, focus group meetings, committee meetings,



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## LAND USE & SUSTAINABLE DEVELOPMENT LAW CLINIC

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and educational workshops. She is also well versed in the use of Geographic Information Systems (GIS). In her past ten years with the Land Use and Sustainable Development Law Clinic, Christy has developed numerous comprehensive plans and zoning ordinances for communities throughout West Virginia. Christy has also been a member of her township planning commission since 2015.

**Jared Anderson** received a B.A. in Geography with a minor in Economics from West Virginia University where he was a member of the WVU Men's Tennis Team. After graduating, he worked as a GIS specialist for an engineering firm in Virginia. Later, he moved out west to attend the University of Hawaii, where he obtained a Master of Urban and Regional Planning. In 2007, he moved back to Virginia to become the Planning Director for the Town of Chincoteague. While there, he was responsible for all the day-to-day planning activities, including a complete revision of the town's comprehensive plan. Most recently, he obtained a J.D. from the Catholic University of America, Columbus School of Law in Washington, DC. Jared was born in Wheeling, WV and raised in Leesburg, VA. Jared has served as a Land Use Attorney at the College of Law since 2012.

**Whitney R. Morgan**, a WVU College of Law alum, has been with the Land Use and Sustainable Development Law Clinic since 2015. In this role, she has focused on the development of a comprehensive zoning ordinance template designed specifically for rural West Virginia communities, with major contributions centering on the intersection of zoning with the U.S. Constitution. Generally, she functions as a utility player between the clinic's various practice areas. As a clinical instructor, Whitney channels her passion for writing in taking on a mentorship role with third year law students to refine legal writing skills. She also serves as the final stage editor for major publications of the clinic and assists with grant writing.

### Land Use Clinic References

- Anne Cavalier, Mayor of the City of Smithers, [acavalier@smitherswv.gov](mailto:acavalier@smitherswv.gov), (304) 553-2012
- Greg Ingram, Mayor of the City of Montgomery, [gingram@montgomerywv.gov](mailto:gingram@montgomerywv.gov), (304) 442-5181
- Charlotte Shaffer, Executive Director for Harrison County Planning Department, [cshaffer@harrisoncountywv.com](mailto:cshaffer@harrisoncountywv.com), (304) 624-8692
- Carl Harris, Attorney for the Town of Fayetteville, [harriscl@aol.com](mailto:harriscl@aol.com), (304) 222-1549
- Beverly Keadle, Mayor, Town of Romney, [bkeadle@townofromney.org](mailto:bkeadle@townofromney.org), (304) 822-5118

### Detailed Work Plan

#### *Facilitation of Meetings with Local Leadership*

The Land Use Clinic will work with the County Commission, the Lewis County Planning Commission, county attorney, staff, the Town of Jane Lew and other local leaders to identify

appropriate public input procedures, identify key stakeholders, and thoroughly review all existing plans. This process will give the team an idea of how to move forward without replicating any steps. The Land Use Clinic will work with the Planning Commission throughout the comprehensive planning process to collect background data, identify a vision, and create an action plan that complies with the goals and objectives of the county and its residents.

#### *Collection of Stakeholder Interviews*

The Comprehensive Plan Update will be tailored to Lewis County and will include interviews with local stakeholders, as needed, to ensure a full cross-section of the community has had an opportunity to participate.

#### *Public Input*

Public input will be vital to ensure the plan's success and initiate change in the county. The Clinic will review input from the previous Comprehensive Plan and other planning studies. The Clinic and local officials will determine the best way to solicit additional information from citizens and members of the public. The Land Use Clinic will facilitate 5 open houses (which includes one in the Town of Jane Lew) to ensure that there is opportunity for public input prior to plan adoption. An online survey will also be utilized to gather information from those who typically do not or who cannot attend public meetings. These surveys have often yielded great results. For example, during the Hinton Comprehensive Plan process the planning commission developed an online survey and received 402 responses. For more information on our public input process, see the detailed timeline below.

The Land Use Clinic will visit Lewis County High School to conduct a youth focus group to identify the issues and concerns of the youth. Younger people are an important demographic of the community that often do not participate in planning efforts. For example, the Clinic gained important insight after meeting with students in 2013 at Elkins High School, as part of the comprehensive plan process.

#### *Visioning and Data Collection*

The Land Use Clinic will gather and synthesize information from the latest Census and from other sources to identify statistical and historical conditions and trends within the county, including, but not limited to: employment, including workforce participation; income; infrastructure; housing; education, health, and social services; and social, cultural, and recreational opportunities.

#### *Needs Assessment and Action Plan*

Based on the public input received and data obtained during the visioning and data collection process, the Land Use Clinic will facilitate community-driven identification of issues of common concern. These issues will then be developed into specific goals, objectives, and action steps

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## LAND USE & SUSTAINABLE DEVELOPMENT LAW CLINIC

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(together with potential sources of funding). The end result will be a plan with clear steps that the county needs to take in order to achieve its desired goals and objectives.

### *Compliance with Chapter 8A of the West Virginia Code*

Certified AICP planners and licensed attorneys will develop the needs assessment, help facilitate meetings, and draft sections of the comprehensive plan in compliance with Chapter 8A of the West Virginia Code. The entire comprehensive plan draft will be thoroughly analyzed to ensure that it not only meets the needs of Lewis County but meets required objectives and components of Chapter 8A.

### **Optional Services**

The optional services listed below would be an additional cost on top of the base price of \$18,840.

The Land Use Clinic may add optional services and chapters, for an additional charge, based on the particular needs of Lewis County.

### *Additional Open Houses*

A total of five open houses are included in the base price. Additional open houses can also be held if the Planning Commission believes more input is needed throughout the planning process.

### *Visitor Survey*

The Land Use Clinic can prepare an online visitor survey to solicit input from county visitors regarding their issues and concerns when visiting the county.

### *Youth Survey*

The Land Use Clinic can prepare an online youth survey to identify issues and concerns of the youth.

### *Planning Commissioner Training*

The Land Use Clinic can provide training sessions and be available for follow-up questions. These training sessions will focus on the powers and duties of the planning commission, the importance of the Open Meetings Acts, and how to properly conduct a meeting. Other topics may be substituted if there is a need that is mutually agreed upon by the Clinic and the County Commission.

### **Timeline**

#### *Fall/Winter 2023*

- Conduct SWOT analysis with Planning Commission and stakeholders
- Develop procedures for public input
- Review existing plans
- Work with the Planning Commission to develop a list of stakeholders
- Tour the County with partners to identify assets as well as challenges

#### *Winter/Spring 2024*

- Begin to interview stakeholders including, but not limited to:
  - Lewis County Sheriff's Department
  - Fire Departments
  - Lewis County Board of Education
  - Realtors
  - Parks & Recreation
  - Lewis County Economic Development Authority
  - Ministerial Associations
  - Local Businesses
  - Lewis County CVB
  - Other stakeholders identified by the Lewis Planning Commission
- Solicit public input through established procedures. Steps would likely include:
  - Two community surveys (Lewis County and Town of Jane Lew)
  - Open houses to continue to identify issues and concerns via SWOT analysis
  - Stakeholder Surveys
  - Youth focus group and/or optional youth survey to identify student's needs, concerns, and recommendations
- Review demographic and economic data

#### *Summer 2024*

- Develop existing and future land use maps (any other necessary mapping for the comprehensive plan)
- Develop vision statement and goals
- Discuss the Needs Assessment with the Planning Commission

#### *Fall and Winter 2024/Winter 2025*

- Finalize existing and future land use maps
- Develop action items
- Optional open house to prioritize action items
- Land Use Clinic will submit draft of plan to Planning Commission for comment
- Finalize plan, begin adoption process (adoption process typically takes 3-4 months due to notice and comment periods and multiple public hearings).

<b>Lewis Comprehensive Plan Update Budget - Cost for Land Use Clinic</b>			
		<b>Hours</b>	<b>Total</b>
<b>Public Input</b>			
	<b>Planning Commission Meetings (8 meetings)</b>		
	Land Use Planner- 8 in person	80	\$4,800
	<b>Publicize the Plan (Brochure, Press Releases, Online Survey, etc)</b>		
	Land Use Planner	8	\$480
	<b>Stakeholder Interviews</b>		
	Land Use Planner	12	\$720
	<b>Open Houses (4 meetings throughout the County)</b>		
	Land Use Planner	32	\$1,920
	<b>One Youth Workshop</b>		
	Land Use Planner	8	\$480
<i>Total Public Input Costs</i>		<b>140</b>	<b>\$8,400</b>
<b>Plan Development</b>			
	<b>Tour of Lewis County</b>		
	Land Use Planner	2	\$120
	<b>Review of Existing Plans</b>		
	Land Use Planner	8	\$480
	<b>Community Snapshot (Demographics, trends, etc.)</b>		
	Land Use Planner	32	\$1,920
	<b>Visioning and Needs Assessment</b>		
	Land Use Planner	32	\$1,920
	<b>Action Plan</b>		
	Land Use Planner	32	\$1,920
	<b>Mapping</b>		
	Land Use Planner	16	\$960
<i>Total Plan Development Costs</i>		<b>122</b>	<b>\$7,320</b>
<b>Inclusion of Town of Jane Lew in the comprehensive plan process</b>			
	<b>Public Input</b> <i>(Specific online survey and Open House for citizens of Jane Lew)</i>		
	Land Use Planner	10	\$600
	<b>Plan Development</b> <i>(would include all the components of the process above but integerated into the County plan)</i>		
	Land Use Planner	26	\$1,560
	<b>Coordination with Town on consenting to the County Plan</b> <i>(includes one meeting with town council to review draft)</i>		
	Land Use Planner	12	\$720
<i>Total Plan Development Costs to include the Town of Jane Lew</i>		<b>48</b>	<b>\$2,880</b>

<b>Plan Adoption</b>			
	<b>Coordination with County regarding Adoption Process</b>		
	Lead Land Use Attorney	1	\$120
	Land Use Planner	2	\$120
	<i>Total Plan Adoption Costs</i>	3	<i>\$240</i>
	<b>Cost of Update</b>	<b>313</b>	<b>\$18,840</b>
<b>Optional</b>			
	<b>Youth Online Survey</b>		
	Land Use Planner	8	\$480
	<b>Training of Planning Commission</b>		
	Land Use Planner	8	\$480
	<b>Additional Open House (Beyond 5 included in base price)</b>		
	Land Use Planner	8	\$480
	<b>Online Visitors Survey</b>		
	Land Use Planner	8	\$480
	<b>Cost of Optional Services</b>	<b>32</b>	<b>\$1,920</b>
	<b>Total Cost of Update Plus All Optional Services</b>		<b>\$20,760</b>

**From:** Tina Helmick  
**Sent:** Wednesday, July 19, 2023 11:14 AM  
**To:** aqueen4500@aol.com; bobbystewart00@gmail.com; 'centralwv@yahoo.com'; Ray Smith; lwhetsell lewiscountywv.org; Email Team  
**Cc:** srogers lewiscountywv.org  
**Subject:** Agenda item input/wording Safe Sites  
**Importance:** High

Hi everyone,

Yesterday, in the Safe Sites work session, we were a bit back and forth on what the for sure plan would be to reinstate Safe Sites and/or whether or not we would for sure adopt the IMPC and how we would go about that. I think I understood from Gary that we really do not need a new ordinance, we can use our existing one and he has a way to get around folks signing their name when submitting complaints. I believe he was saying we would be fine with what we already have from 2010 for Safe Sites as far as our ordinance and following the old code goes.

However, I believe Commission wants to adopt/implement the IMPC. Even with that, Gary's advice was that we still DO NOT need a new ordinance, etc. I believe he said we would use the language of us adopting the IMPC as a reference??? I want to make sure we get this on the next agenda correctly. I am looking for input and of course want to make sure we are in line with code and ethics. Please review what I've drafted below.

**Safe Sites and Structures:** The Lewis County Commission will consider the reorganization of the Safe Sites and Structures Committee, and Ordinance, that was approved in 2010. As part of the reorganization, the Commission will consider adopting the International Property Maintenance Code pursuant to West Virginia Code 7-1-3n as a reference to be used by the Safe Sites Committee, for the purposes of safeguarding life and property in and throughout the unincorporated parts of Lewis County, West Virginia. (*action required*)

Thank you and have a wonderful day,

Tina J Helmick, MSW  
Lewis County Commission  
Administrator