

Charles County Historic Preservation Commission

Rules of Procedure

Establishment of Rules of Procedure

1. The Rules of Procedure of the Historic Preservation Commission are hereby established, effective June 22nd, 2010.
2. Amendments to these Rules of Procedure may be introduced at any meeting of the Commission and voted upon at any subsequent regular meeting, with passage requiring majority vote of the membership. All Commission members shall be notified by e-mail or by telephone at least forty-eight (48) hours in advance of voting on amendments.

The Charge of the Historic Preservation Commission

1. The charge of the Historic Preservation Commission is to recommend properties for local historic landmark designation, review exterior changes to locally designated landmarks, and support documentation of historic resources throughout the County. Additional assigned duties are outlined in Bill No. 2008-14.

Membership

Per Article XXXI of the Charles County Zoning Ordinance:

1. The Historic Preservation Commission shall consist of seven (7) members appointed by the County Commissioners.
2. Members shall be residents in Charles County.
3. Each member shall possess a demonstrated special interest, specific knowledge, or professional or academic training in such fields as history, architecture, architectural history, land use planning, archeology, anthropology, curation, conservation, landscape architecture, historic preservation, urban design, or related disciplines;
 - a. The special interest requirement can be satisfied by either formal training in one or more of the fields or active membership in a preservation related organization;
 - b. The specific knowledge requirement may be satisfied by formal post secondary education, employment, or practical experience in one or more of the above listed fields;
 - c. The professional or academic training requirement may be satisfied by, at a minimum, two years experience as a professional or a Bachelor's degree in one or more of the above listed fields;

4. At least two (2) members of the Commission shall possess professional or academic training in one or more of the above listed fields in accordance with the minimum professional requirements of the United States Department of the Interior for certifying local governments under 36 CFR Part 61 (Attached as Exhibit B).
5. To satisfy the above membership requirements, two (2) members may be appointed from the Charles County Historical Trust, and one (1) member may be appointed from the following industries: building, the Charles County Chamber of Commerce, agriculture, historic property management, historic property renovation, or the citizenry at large. However, if this composition of membership is not possible for any reason, only requirements (1) through (3) above will apply to membership on the Commission.

Terms

1. Per Article XXXI of the Charles County Zoning Ordinance, Commission members shall be appointed by the County Commissioners for terms of three (3) years, except that the terms of the initial appointments shall be staggered so that four (4) members shall serve terms of three (3) years, three (3) members shall serve terms of two (2) years so that no more than four (4) appointments shall expire in a given year. Commission members may be reappointed but may not serve more than two (2) consecutive full terms. The limitation imposed by this paragraph shall not apply if the County Commissioners determine that there is no qualified person to replace an incumbent who is disqualified under this paragraph.

Commission Officers

1. Per Article XXXI of the Charles County Zoning Ordinance, the Commission shall elect, from its membership, a Chairperson and Vice Chairperson. The Chairperson and Vice Chairperson shall serve for one (1) year terms and shall be eligible for re-election.

Vacancy

1. Per Article XXXI of the Charles County Zoning Ordinance, any vacancy in the membership of the Commission caused by the expiration of a term, resignation, death, incapacity to discharge duties, removal for cause, or any other reason, shall be filled for a new term, or for the remainder of the term for which there is a vacancy, as the case may be, in the same manner as provided herein for the appointment of the initial members of the Commission.
 - a. Any vacancy on the Commission shall be filled by the Charles County Commissioners in a timely manner.
 - b. In the case of expiration of term, a member may continue to serve until the member's successor is appointed.

- c. Unexcused absence at three (3) consecutive meetings shall constitute resignation by the member and shall create a vacancy.

Removal for Cause

1. Per Article XXXI of the Charles County Zoning Ordinance, Commission members shall serve without compensation, but may be reimbursed for actual expenses incurred in the performance of their duties, provided said expenses are permitted by the budget and approved in advance by the Department of Planning and Growth Management.

Meetings and Voting

1. The Commission shall hold such regular meetings and hearings as necessary to discharge its duties. Any interested person or representative of an interested person may appear and be heard at any public meeting conducted by the Historic Preservation Commission.
2. All meetings will be held at the Charles County Government Building, 200 Baltimore Street, La Plata, Maryland, unless another place is designated by the Chairman and stated in the notice of the meeting.
3. At any meeting, the presence of at least four (4) Commission members will constitute a quorum with respect to any action, which may be taken at the meeting. No action shall be taken in the absence of a quorum.
4. No Commission member shall vote on a matter in which he or she has personal involvement.
5. Voting shall be by verbal vote of all members including the Chairperson. Members of the Historic Preservation Commission are governed by the Ethics Code of Charles County.
6. Roberts Rules of Order are recognized by the Historic Preservation Commission for conducting meetings, but strict adherence shall not be required.
7. Special meetings of the Commission will be held at the written request of the Chairperson or at least four (4) of its members. The request will state the purpose of the meeting and the matters proposed for consideration. The Chairperson will designate the time of the meeting.
8. The order of business for all meetings shall be set forth on an agenda prepared by staff, in consultation with the Chairperson. Staff shall provide the proposed agenda and materials relevant to agenda items to the Commission members one to two weeks prior to the meeting.

9. Written minutes of all meetings of the Commission will be provided as soon as practicable after any meeting. Minutes will reflect:
 - a. Each item or matter considered by the Commission;
 - b. The action taken by the Commission with respect to each item or matter; and
 - c. Each vote which was recorded.

Staff

1. Consistent with the County's policies and procedures, employees may be assigned to the Commission, and such services and facilities shall be made available as the County deems necessary or appropriate for the proper performance of its duties. The Director of Planning and Growth Management will assign members of the Department's staff to serve as the Staff Liaison and Commission Manager, and another member to serve as the Secretary to the Commission.

Powers and Duties

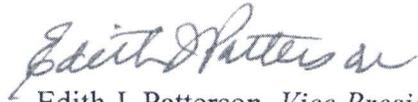
Per Article XXXI of the Charles County Zoning Ordinance, the Historic Preservation Commission shall have the following powers and duties (1-12):

1. Direct studies, reports, and surveys to identify historical, archeological, or architecturally significant sites, structures, and districts that exemplify the cultural, social, economic, political, or architectural history of the County, State, or Nations;
2. Accept and use gifts for the exercise of its functions, consistent with the County's charter, ordinances, resolutions, local public law, policies and procedures regarding the acceptance and use of gifts by public officials;
3. Prescribe appropriate rules and regulations for transaction of its business;
4. Accept and review applications for designation of local historic sites and districts, and forward recommendations to the Planning Commission for its review and recommendation to the County Commissioners;
5. Review and process applications for certificates of approval;
6. Recommend for adoption by the County Commissioners rehabilitation and new construction design guidelines and criteria for construction, alteration, reconstruction, moving, and demolition of designated historic sites, structures, and districts which are consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties (36 CFR Part 68). Guidelines may include design characteristics intended to meet the needs of particular types of sites, structures, and districts, and may identify categories of changes that, because they are minimal in nature, do not affect historic, archeological, or architectural significance, and therefore do not require review by the Commission. These guidelines shall be used in the Commission's review of applications.

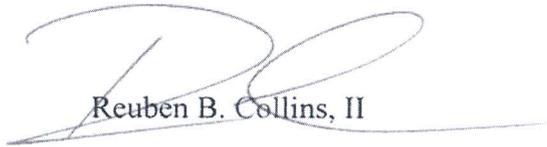
7. If budget allows, purchase or accept historic preservation easements on designated historic structures or sites and, when deemed appropriate by the Commission, sites or structures located in, or adjacent to, a designated historic district, consistent with the County's charter, ordinances, resolutions, local public law, policies and procedures governing the acquisition of easements;
8. Make recommendations to the Department of Planning and Growth Management and to the Planning Commission, as appropriate, on the course of action in the event of demolition, preliminary subdivision plan review or site development of land containing a local historic site, structure or district as it relates to its preservation or commemoration;
9. Adopt rules to implement and administer a local historic tax credit program. The Commission shall adopt rules to implement the historic tax credit program under Chapter 281 and 297 of the County Code;
10. Approve historic tax credits as specified in Chapter 297 and 281 of the County Code, the Commission may determine whether a historic structure is eligible for a historic tax credit and approve an application for a historic tax credit; and,
11. Undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or the implementation of the purpose of Article XXXI of the Zoning Ordinance.
12. The Historic Preservation Commission may request that the enforcing authority institute any of the remedies and penalties provided by law for any violation of an ordinance or resolution adopted under this subtitle.
13. The Commission shall propose annual budgets to be considered and adopted by the County Commissioners in order to fulfill the powers and duties of the Historic Preservation Commission.

The previously described and outlined Rules of Procedure for the Historic Preservation Commission are hereby approved on this 22nd day of June, 2010.

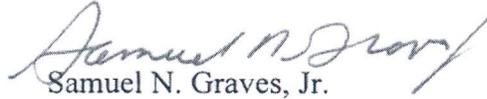
COUNTY COMMISSIONERS OF
CHARLES COUNTY, MARYLAND



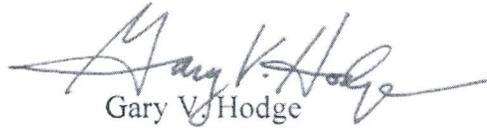
Edith J. Patterson, *Vice President*



Reuben B. Collins, II

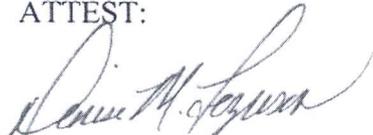


Samuel N. Graves, Jr.



Gary V. Hodge

ATTEST:



Denise M. Ferguson, *Clerk*