

SUBLETTE COUNTY CERTIFIED LOCAL GOVERNMENT COMMISSION

Rules of Practice and By-Laws

Appointment of Members and Duties and Selection of Officers

The CLG Commission will be limited to a maximum of 7 members with demonstrated interest, knowledge or experience in historic preservation. To demonstrate credentials, members shall submit resumes or statements of qualification to the County Commissioners and to the State Historic Preservation Office (SHPO). Information on credentials must be kept on file by the County and must be available for public inspection.

Members of the Board shall have three-year staggered terms. Members may be reappointed.

Members shall be appointed by the County Commissioners.

Any member may be removed by the County Commissioners for failure to attend at least at least half of the regular scheduled meetings in a year or for failure to refrain from voting where conflict of interest exists. The CLG Commission may make recommendations to the County Commissioners concerning removal of members.

Each CLG Commission member should attend at least one informational or educational meeting per year, as sponsored by the State Historic Preservation Officer if available locally, that pertains to the work and functions of the Commission.

Nomination and election of officers for the upcoming year will be held at the first meeting of the calendar year.

The officers of the Board shall consist of a President and a Vice President. The CLG Commission can hire a Coordinator or appoint a board member to take care of secretarial and accounting duties.

The President's duties generally include: presiding over and calling to order all regular and special meetings, announcing business to be conducted, providing for swift, orderly and pertinent discussion of questions arising during proceedings and putting them to a vote. The President shall also announce the result of the votes and authenticate, by his or her signature when necessary, all acts, orders and proceedings of the Commission.

Upon the absence of the President, the Vice President shall automatically become the presiding officer of the Commission. The Vice President shall also be able to sign any documents for the Commission in the absence of the President or Coordinator.

The Coordinator may be responsible for: preparing an agenda, keeping the records and Minutes of each meeting or hearing, keeping a roll call of the members and calling roll when required, notification of officers and committees of their appointments, furnishing committees with all papers referred to them, recording the number of votes for and against each question put to a vote, indication of any absences or disqualifications from voting when a question is put to vote, and such other duties as may be assigned by the Board.

Elections of officers shall be by secret ballot.

Each elected officer shall serve for one year, or until his or her successor takes office. All officers shall be eligible for reelection.

Vacancies in unexpired terms of office shall be filled immediately by regular election procedures at the next CLG Commission meeting.

Meetings

All meetings and hearings shall be open to the general public.

The CLG Commission must hold meetings at least four times per year.

Special meetings may be called by the majority of the CLG Commissioners. Notice of such meeting shall specify the purpose of the meeting, and no other business may be considered. All members of the CLG Commission shall be notified by oral or written notice not less than three days in advance of a special meeting. This notice shall contain the date, time, place and subject(s) to be discussed. A special meeting can serve as a hearing only if notification requirements are complied with.

Transaction of Business

A quorum is a simple majority (greater than half) of the total membership of the CLG Commission.

To transact any official business, a quorum must be present. The President shall vote as a member of the CLG Commission.

Conflict of Interest

Any member of the CLG Commission who has any financial interest in any question called to vote shall notify the CLG Commission of such interest and disqualify himself or herself from voting on the matter.

Right to Vote:

- (a) Any member of the CLG Commission who may have a financial interest in a question called to vote shall, when a question is raised by him/herself or another member of the CLG Commission, or any interested person regarding his/her financial interest, may have his/her voting qualifications judged by the CLG Commission as to his/her amount of interest in the business in question and his/her right to vote on it after discussion and the vote of the CLG Commission.
- (b) Any member of the CLG Commission found to have any financial interest in a question called to vote shall abstain.

No member shall step down from the CLG Commission for the purpose of appearing before the CLG Commission as an applicant or as a representative of an applicant unless that member has the recorded permission of the CLG Commission.

Employees and Consultants

The County Commissioners/CLG Commission or its designee may employ a clerk to assist the Coordinator of the Commission in the performance of his or her duties and to perform such other duties as may be assigned by the President.

The CLG Commission may obtain the services of qualified staff or consultants as is necessary to carry out the purposes of the Resolution.

The CLG Commission may obtain the services of qualified staff or consultants to advise the CLG Commission on matters in which members lack sufficient expertise.

Public Meetings

There will be public meetings when properties are considered for designation.

Notice of the consideration shall be sent to the property owner of record by certified mail. The notice shall describe the property, the action to be considered, and the date, time and place of the meeting.

The Coordinator shall advertise the date, time, place and subject of consideration once in each local newspaper at least fifteen days prior to the CLG Commission meeting.

A record shall be kept of pertinent information presented at all public meetings. A verbatim record may be made by any interested party, but shall not be required unless directed by the CLG Commission.

Surveys and Studies

The CLG Commission shall undertake surveys and studies as necessary to compile a list of properties and areas having historical, architectural and/or archaeological significance. The CLG Commission shall continually monitor and update this list.

Designation Criteria

The CLG Commission shall compile criteria for designation of districts and properties.

These criteria shall include the National Register's Criteria for Eligibility, which are:

“The quality of significance in American history, architecture, archaeology and culture is present in districts, sites, buildings, structures and objects that possess integrity of location, design, setting, material, workmanship, feeling, and association, and:

- A. that are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. that are associated with the lives of persons significant in our past; or
- C. that embody the distinctive characteristics of a type, period or method of construction, or that represent a significant and distinguishable entity whose components may lack individual distinction or
- D. that have yielded or may be likely to yield information important in prehistory or history.”

The CLG Commission shall propose the criteria for designation to the County Commissioners.

Designation of National Historic Districts and Landmarks

Properties or districts shall be considered for designation if a petition for designation is filed. Such a petition may be submitted by members of the County Commission, members of the CLG Commission, or any owner of land within the area proposed.

Once the petition is received, a public meeting shall be held. Notifications and proceedings shall be undertaken as described in “Public Meetings” above.

The designation proposal shall contain specific and understandable boundaries for areas and properties under consideration.

The CLG Commission may solicit expert testimony regarding the historic character of the designation proposal. The CLG Commission may present testimony or documentary evidence of its own to establish a record regarding the historic character of the proposed designation.

The CLG Commission shall afford to the owner of said property reasonable opportunity to present testimony or documentary evidence regarding the designation proposal. The property owner shall have the right to representation by counsel and reasonable opportunity to cross-examine witnesses presented by the CLG Commission.

Any interested party may present testimony or documentary evidence regarding the proposed designation.

The CLG Commission shall make findings of fact as to the proposed designation and its conformance with the criteria for designation.

The CLG Commission must submit its decision to the County Commissioners within thirty days of the public meeting.

Notification of designation must be mailed to property owners of record within three working days of the County Commissioners' ratification.

The CLG Commission shall notify the State Historic Preservation Office of the designation.

The CLG Commission shall not designate a property as a historical district, landmark or National Register site without written landowner consent.

Within thirty days of County Commissioner ratification, the CLG Commission shall cause to have filed with the Sublette County Clerk notification that such property is designated. The designation shall be maintained on the public records until such time as the designation is withdrawn. The location of the property may be withheld.

The CLG Commission may amend or rescind any designation in the same manner and procedure as followed in the original designation.

National Register of Historic Places

As a Certified Local Government, the Commission must assume review responsibility for National Register nominations within its jurisdiction. These responsibilities are:

The CLG Commission shall review all National Register nominations for properties within its jurisdiction. A copy of such nominations shall be submitted to the State Historic Preservation Officer (SHPO).

It is the responsibility of the Certified Local Government to officially notify all property owners of record being considered for nomination. This notification shall state that said property will be considered for nomination to the National Register by the CLG Commission. The CLG Commission must allow reasonable opportunity for public comment.

The CLG Commission shall review each pending nomination located within its jurisdiction. After allowing reasonable opportunity for public comment and holding a public meeting, the CLG Commission shall prepare a report as to whether or not the property, in its opinion, meets the criteria of the National Register. Within sixty days of receipt of the nomination, the CLG Commission shall transmit the report to the SHPO. The Commission shall notify property owners and the preparer of its decision.

If the report of the CLG Commission indicates that the nomination meets the criteria, then the SHPO will place the nomination and the CLG Commission's comments before the Wyoming Consulting Committee.

If the CLG Commission recommends that the property not be nominated, the SHPO shall take no further action unless an appeal is filed within thirty days. The SHPO shall then follow procedures set forth in Section 101(A) of the National Historic Preservation Act.

CLG Commission responsibilities for historic district nominations are similar to above. The Certified Local Government must notify property owners of record of a public meeting to be held at a time and place agreeable to the SHPO.

In reviewing nominations, the CLG Commission shall seek appropriate expertise to consider a nomination if such expertise is not represented on the CLG Commission.

Annual Report

The CLG Commission shall prepare an annual report in January of each year. The report should summarize the CLG Commission's actions on designations, application review and decisions, and National Register nomination reviews. The report should also describe changes to districts and landmarks over time. The report should describe any activities such as surveys and public education. The report should provide resumes for new CLG Commission members and updated resumes for continuing CLG Commission members. The annual report shall be submitted to the County Commissioners, County Clerk and the State Historic Preservation Officer by January 31 of each year.

Amendment

In order to amend these Rules of Practice and By-Laws, a two-thirds vote of the CLG Commissioners is required. The proposed change must accompany an announcement of the meeting at least 15 days prior to said meeting.

Approved January 18, 2005

Ann Noble, President

Clint Gilchrist, Vice-President