

ORANGE COUNTY HISTORIC PRESERVATION COMMISSION

POLICIES AND PROCEDURES

SECTION I: SCOPE

A. Purpose

1. To establish a policy and procedures whereby the Orange County Board of Commissioners will establish the specific policies and procedures governing the Historic Preservation Commission.
2. The Orange County Board of Commissioners may appoint an advisory board whose duty is to serve in an advisory capacity on matters affecting the historic and cultural resources in the county, and other emerging issues or topics of interest concerning historic preservation.

B. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards.
2. The Orange County Advisory Board Policy serves as the underlying policy document to which the Historic Preservation Commission, in addition to this policy and procedure document, is subject. The Orange County Advisory Board Policy is attached hereto as "Exhibit A".
3. In the event that there is a conflict between the Orange County Advisory Board Policy and this Policies and Procedures document this Policies and Procedures document shall control.
4. Additional provisions regarding the makeup and role of the Historic Preservation Commission may be found in the Orange County Code of Ordinances, Chapter 44. Where provisions differ, the Code of Ordinances governs the rules for the Historic Preservation Commission.

C. Charge

1. The charge of the Historic Preservation Commission is to advise and assist the Orange County Board of Commissioners in the areas of historic preservation policy and planning, including the designation of historic landmarks and historic districts.

SECTION II: GOALS AND OBJECTIVES

A. The Historic Preservation Commission shall have the following goals and objectives:

1. Maintain an inventory of properties of historical, prehistorical, architectural, and/or cultural significance.
2. Recommend to the Orange County Board of Commissioners areas to be designated by ordinance as "historic districts" and individual structures, buildings, sites, areas or objects to be designated by ordinance as "landmarks."
3. Recommend to the Orange County Board of Commissioners that designation of any area as a historic district, or part thereof, or designation of any building, structure, site, area or object as a landmark, be revoked or removed for cause.
4. Review and act upon proposals for alterations, demolition or new construction within historic districts, or for the alteration or demolition of designated landmarks.

5. Conduct an educational program with respect to historic districts and landmarks within its jurisdiction.
6. Cooperate with State, Federal, and local governments in pursuance of the purposes of the Orange County Code of Ordinances, Chapter 48, and offer or request assistance, aid, guidance or advice concerning matters under its purview or of mutual interest. The Orange County Board of Commissioners, or the Commission when authorized by the Commissioners, may contract with the State or the United States, or any agency of either, or with any other organization provided the terms are not inconsistent with State or Federal law.
7. Enter, solely in the performance of its official duties and only at reasonable times, upon private lands for examination or survey thereof. No member, employee or agent of the Commission may enter any private building or structure, however, without the express consent of the owner or occupant thereof.
8. Prepare and recommend updates, as needed, to the Orange County Comprehensive Plan and the Unified Development Ordinance.
9. Recommend to the Orange County Board of Commissioners that it acquire by any lawful means the fee or any lesser included interest, including options to purchase, to properties within designated historic districts or to any such properties designated as landmarks; to hold, manage, preserve, restore and improve the same; and to exchange or dispose of the property by public or private sale, lease or otherwise, subject to covenants or other legally-binding restrictions that will secure appropriate rights of public access and promote the preservation of the property.

SECTION III: MEMBERSHIP

A. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards and to appoint members to and remove members from those advisory boards. In acting on this authority the Orange County Board of Commissioners hereby establishes certain general conditions to which applicants and members of advisory boards should conform.
2. Historic Preservation Commission membership and authority is also granted and addressed by N.C. General Statutes Chapter 160A, Article 19, Part 3C.

B. Composition

1. The Historic Preservation Commission shall be composed of seven (7) members, all of whom will be appointed by the Board of County Commissioners.
2. Members shall reside within the territorial jurisdiction of Orange County, and shall have demonstrated special interest, experience or education in history, architecture, landscape architecture, archaeology or related fields.
3. Members shall serve a term of three years, and appointments shall be made so that one-third of the terms expire in February of each calendar year.
4. Members are eligible for reappointment for a second consecutive three-year term, however, after two consecutive terms a member shall be ineligible for reappointment for one year after the expiration of the previous terms. In determining eligibility of reappointment, appointments made to fill vacancies for unexpired terms shall not be counted as a term.
5. Attendance at the regular meetings of the Commission shall be considered a prerequisite for maintenance of membership on the Commission. The Orange County Board of Commissioners may declare a vacancy of the Commission because of a member's non-attendance.

6. Absence due to sickness, death of an immediate family member or similar reason shall be considered approved absences and shall not affect the member's status. In the event of long illness or other cause for prolonged absence, the member shall be replaced.

C. Officers

1. The elected officers of the Historic Preservation Commission shall consist of a Chair and Vice-Chair. Additional officers may be appointed as needed, and the Commission may agree to designate Co-Chairs in lieu of a Chair and Vice-Chair, each retaining the rights to serve in the role of Chair to preside over meetings, such role being with concurrence of the two Co-Chairs.
2. The Chair shall preside over all regular and special meetings of the Board. In the absence or disability of the Chair, the Vice-Chair shall preside and shall exercise all the powers of the Chair.

D. Officer Election Procedures and Terms of Office

1. The Officers shall be elected by the Commission from among its members at the regular meeting in February of each year. They shall take office at the following regular meeting.
2. The Chair and Vice Chair shall serve terms of one year and shall be eligible for re-election. They shall be eligible to succeed themselves for not more than three one-year terms. A majority of members present shall be necessary to elect officers.
3. A vacancy in the office of Chair shall be filled by the Vice Chair succeeding to the office for the balance of the unexpired term.
4. A vacancy in the office of Vice Chair (including a vacancy due to III.C.2. above) shall be filled by election of a Vice Chair from the Commission for the balance of the unexpired term.

SECTION IV. MEETINGS

A. Staffing

1. Orange County staff from the Department of Environment, Agriculture, Parks and Recreation shall serve as staff support to the Historic Preservation Commission, contingent upon the approval of the Orange County Manager.

B. Agendas

1. Items for agendas shall be approved by the Historic Preservation Commission Chair and staff.
2. Regular meetings of the Board shall be held on the fourth Wednesday of each month at 7:00 pm or some other time established by the Commission. When the regular meeting day falls on a holiday, the Commission may call a special meeting.
3. The order of business at regular meetings shall be as follows:
 - a. Call to Order
 - b. Consideration of additions or changes to the agenda
 - e. Call for approval of minutes of previous meeting
 - f. Reports
 - g. Public Hearings
 - h. Items for Decision
 - i. Discussion Items
 - j. Informational Items
 - k. Adjournment

4. Special meetings may be called by the Chair or by written request by two members of the Commission, submitted to the Commission or the Chair. Written or oral notice of meetings shall be given to all members at least 48 hours prior to the meeting and shall state the time, place and purpose of the meeting.
5. The Commission shall keep meeting summaries or minutes of the proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be filed in the office of the Department of Environment, Agriculture, Parks and Recreation and shall be a public record.
6. The Commission may cancel meetings when there is no business for the Commission or lack of a quorum is determined, by notice from the Chair or staff provided at least 24 hours prior to the scheduled meeting.

SECTION V. ORIENTATION

A. Attendance

1. Each member shall attend an orientation presented by the Department of Environment, Agriculture, Parks and Recreation and/or the officers of the Commission to familiarize the advisory board members with the operation of County government, and the operating procedures of the advisory board.
2. Each voting member will be encouraged to complete the orientation within eight weeks of his or her appointment and participate in at least one site tour or visit (as deemed practical)

SECTION VI. BY-LAWS

A. By-Laws

1. Any Bylaws adopted by the Historic Preservation Commission are void and no further bylaws shall be adopted. Procedure shall be governed solely by this policy document and the General Advisory Board Policy Document – as well as the Board rules and procedures found in the Code of Ordinances, Chapter 44.
2. Should the Historic Preservation Commission determine modifications to policies and procedures are necessary the Commission may petition the Board of County Commissioners for such modifications, to be made to this document and the Code of Ordinances, as applicable.