

# Bylaws of the Historic Preservation Commission Town of Greenville

The Historic Preservation Commission was established by Ordinance 2016-TR-028, adopted by the town council of Greenville, Indiana on September 12, 2016.

## **ARTICLE I PURPOSE**

### **Section 101 - Procedures**

The purpose of these bylaws is to establish procedures for organizing the business of the Greenville Historic Preservation Commission ("HPC"), including the process of applications for the historic designation of buildings, structures, sites, and objects which are architecturally or historically significant.

### **Section 102 – Preservation Plan**

The HPC shall draft a historic preservation plan which will be presented to the Town Council, identify funding sources for future preservation projects, and money to complete preservation projects.

### **Section 103 - Purpose**

The HPC is tasked with identifying and taking inventory of all assets of a historic nature within the Town of Greenville, as well as the surrounding Greenville Township area in an effort to protect historic assets. Additionally, the HPC will serve to educate residents on the availability and process for federal and state funding, as well as coordinate the application and submission of proposals for federal, state, and local grant money and promote the use of historic landmarks in order to highlight the significant role Greenville's historic assets.

## **ARTICLE II ORGANIZATION**

### **Section 201 – Nomination**

A board member of the Town Council must officially nominate a resident for consideration. Once a nomination is presented by a board member of the Town Council, the Council shall vote requiring a majority to ratify the nomination.

### **Section 202 – Qualification**

To be considered for appointment, a resident must reside within Floyd County.

### **Section 203 – Commission Members**

The HPC may consist of up to six elected members.

**Section 204 – Term**

Each elected member will serve out a two-year term with the decision to renew at the end of the term being left up to the town council.

**Section 205 – Ad Hoc Members**

The Commission may consist of ad hoc members such as Town Council board members. Additionally, members of the HPC can vote to appoint outside professionals with knowledge in various aspects of historic preservation such as elected officials, non-profit group leaders, and/or organizations which are funding certain elements of a project.

**Section 206 – Election**

The Chair and Vice-Chair shall be elected annually, at the first meeting of the Calendar year. The Chair and Vice-Chair shall take office immediately upon completion of nomination and voting, and shall each serve for a term of one year. The Chair shall be nominated and elected first and the Vice-Chair immediately thereafter.

**Section 207 – Chair**

The Chair shall preside at all meetings and hearings of the Commission, decide all points of order or procedure, and perform any duties required by ordinance or these rules.

**Section 208 – Vice Chair**

The Vice-Chair shall be the acting chair and shall perform all duties of the office when the Chair is absent or has declared a Conflict of Interest.

**Section 209 – Vacancy**

If a member leaves their position on HPC for any reason which creates a vacancy in the Commission, then the Town Council shall fill the vacancy in due course.

**Section 210 – Legal Council**

The City Attorney or their designated representative shall be the legal counsel for the Commission. Advice of counsel shall be received and entered into the minutes before disposition of any request, of any question of law or matter requiring legal interpretations or advice.

**Section 211 – Conflict of Interest**

A member shall not cast a vote on any issue before the HPC which involves the interests of that member or any organization in which that member has an ownership interest or position of control or directly represents. Neither shall a member cast a vote on any matter which could provide direct financial benefit to that member. Whenever a conflict of interest situation arises in the conduct of business the following actions shall be taken:

1. The individual member shall divulge the existence and reasons for the potential conflict;
2. The public advisory group shall decide if such a conflict exists;
3. If it is decided that a conflict exists, the affected member shall refrain from presenting, voting on, or discussing the project, other than answering a direct question.

4. Should the HPC determine that a conflict of interest does not exist, the nature of the alleged conflict and the reason(s) for determining a conflict did not exist shall be entered into the minutes.

## **ARTICLE III MEETINGS**

### **Section 301 – Regular Meetings**

Regular meetings of the HPC are generally to be held quarterly. In the event the HPC desires to cancel a future meeting, it may do so by consensus of a majority of the members present at a public meeting.

### **Section 302 – Special Meetings**

Special meetings may be held by the HPC on call of its Chair or by a request of a majority of its members. Each member shall be given at least forty eight (48) hours notice of the meeting.

### **Section 303 – Quorum**

A quorum is necessary to hold a meeting and for the transaction of business. A quorum shall consist of at least a majority of members.

### **Section 304 – Voting**

Each member of the commission shall be entitled to one (1) vote. Ad hoc members of the HPC are non-voting members. When a vote is required, a majority vote from the quorum is required to approve or deny a motion. Members of the HPC may abstain from voting. In the instance of a tie, a motion is deemed to be denied.

### **Section 305 – Proxy Voting**

There shall be no proxy voting by members of the HPC. Members must be present to have their vote counted.

### **Section 306 – Location of Meetings**

The location of the meetings of the HPC shall be in a public location as designated by the Chair.

### **Section 307 – Public Comment, Presentations, Time Limitations**

Any member of the public, whether speaking on behalf of him or herself or as a representative of a property owner, an organization or group, when addressing the HPC on any matter shall be limited to a three (3) minute presentation. The Chair may, upon showing of good cause, suspend this rule on a particular matter or for a particular individual.

## **ARTICLE IV OFFICIAL RECORDS**

### **Section 401 – Recording of Vote**

Minutes shall be kept for all meetings of the HPC and shall show the vote of each member on every question on which the Commission is required to act, or shall indicate absence or failure to vote. Minutes shall also show records of the HPC examinations, remarks at public hearings, and other official actions. It

shall be recorded in the minutes when a member of the HPC declares a conflict of interest and does not participate in the discussion or vote on an agenda item. The HPC will review and approve minutes of the previous meeting at the regular meeting.

**Section 402 – Public Record**

All of the official records of the Commission shall be public records open to public inspection which can be made by a formal written request.

**Section 403 – Agenda**

The agenda for all regularly scheduled meetings shall be prepared and posted at least twenty-four (24) hours prior to any meeting and made available to the public. The agenda will be posted at the Town Hall. The agenda and public notice must be in accordance with all public open meeting laws and town ordinances.

**ARTICLE V  
RULES AND AMENDMENTS**

**Section 501 – Amendment Procedure**

Amendments to these bylaws may be made by the HPC upon the concurring vote of a majority of the HPC members, provided any such amendment is proposed at a preceding meeting, or is submitted in writing at a prior regular meeting of the HPC, and is noted in the minutes of such meeting.

**Section 502 – Robert’s Rules of Order**

When any question of parliamentary procedure arises, it shall be decided on the basis of Robert’s Rules of Parliamentary Procedure, unless otherwise specified in these Bylaws of the HPC.

**Section 504 – Communication with the Town Council**

The Chair is the designated spokesperson for the Commission. If the Chair is not available for an oral presentation or report to the Town Council or other official body, the Vice Chair will be the spokesperson for the HPC.

**Section 505 – Dissolution**

In the event of dissolution of the Corporation, assets remaining after payment of all debts of the HPC shall be transferred by the members of the HPC to the Town Council of Greenville to be used for purposes similar to those for which the HPC was organized.