

DECORAH HISTORIC PRESERVATION COMMISSION BYLAWS

ARTICLE I. THE HISTORIC PRESERVATION COMMISSION

A. Conduct of Commission Affairs

The Commission shall have the powers and duties provided by Ordinance 1102 of the City of Decorah, Iowa, and other applicable sections of the Ordinances of Decorah, Iowa, and the laws of the State of Iowa.

B. Appointment of Historic Preservation Commission Members

The active Commission members may recommend potential candidates to the Mayor for appointment with the advice and consent of the City Council.

C. Policies and Programs

1. Periodically the Commission shall review the policies and programs of the City relating to historic preservation and make such recommendations to the City Council as deemed appropriate.
2. Referrals from Council
3. From time to time, letters, request for information, requests for recommendations, or other matters are referred to the Commission by the City Council. The Commission shall initiate the consideration of such items at the next regular meeting following receipt and shall notify the Council of its disposition.
4. Attendance at City Council Meetings: The Commission Chairperson or designated representative shall attend all meetings of the City Council, including informal sessions, at which matters pertaining to the Commission are to be discussed or when actions concerning the Commission's responsibilities are to be taken. The Commission's Chairperson is to receive Council agenda prior to each Council meeting, and is to be otherwise notified of meetings involving Commission business.

D. Annual Reports

Two annual reports detailing the activities of the Commission shall be prepared by the Chairperson, approved by the Commission, and submitted to the City Council.

E. Liaisons with Other Commissions or Boards, such as Planning and Zoning, Adjustment, Parks, Public Works, School Board

When the Commission undertakes any business that is pertinent to the activities of any other Municipal Commissions or Boards, the Municipal Commissions or Boards shall be notified, and may send representatives to the next meeting of the Historic Preservation Commission to act as a liaison between the commissions.

F. Compensation

Commissioners shall not receive any compensation (salary) for their service as Commissioners. They shall be reimbursed for required training (registration fees, travel, and per diem expense) and necessary purchases when receipts are presented.

G. Expenditures

All proposed expenditures shall be submitted to the City Clerk or City Administrator for approval prior to making the expenditure.

H. Commission Education

1. Commission Orientation

- a. Each Commissioner should become familiar with information in the City's historic preservation ordinance and bylaws. The bylaws will be reviewed at the first meeting of each calendar year.
- b. Prior to the first meeting following appointment, a new member shall be provided with copies of the historic preservation ordinance, the Secretary of the Interior's Standards for Rehabilitation, and other documentation useful to a member in carrying out the duties of the members of the Commission. Each new member shall receive an orientation briefing by the Vice-Chairperson of the Commission, which shall include a review of the duties and obligations of a member and a review of current business before the Commission.

2. Commission Training

- a. Each new Commission member will be strongly encouraged to attend one state-sponsored training session within the first year of membership. All Commissioners must attend a historic preservation training session at least once every two years. Historic preservation training includes the following:
 1. Recordation and research of properties identification/survey;
 2. Evaluation of historic significance;
 3. Preparation of nominations to the national or local register of historic places;
 4. Historic preservation planning, e.g., historic preservation component in comprehensive plan, plan for survey, evaluation, and registration; plans for landmarks and districts;
 5. Historic preservation zoning, e.g., creation and administration of landmarks, districts, historic zones, conservation districts, historic building codes;
 6. Economics of historic preservation, e.g., financial incentive programs, assessing the benefit of preservation, funding preservation projects;
 7. Historic preservation law;
 8. Historic preservation education, marketing, promotion;

9. Historic preservation administration and development.

I. Absences

It shall be the duty of each member to attend all regular and special meetings of the Commission and to attend each subcommittee meeting to which a member is appointed. Members of the Commission shall attend at least two-thirds (2/3) of all regularly scheduled meetings within any twelve- (12) month period. If any members do not attend the prescribed number of meetings, such absences shall constitute ground for the Commission to recommend to the City Council that said member is replaced. Attendance of all members shall be entered into the minutes.

J. Resignations

Resignations shall be submitted in writing to the City Council at least thirty (30) days prior to the effective date of the resignation.

ARTICLE II. OFFICERS

A. Officers

The Commission shall elect a Chairperson, a Vice-Chairperson, and a Secretary.

B. Election and Term of Office

Elections will take place in December by a majority vote of members. Officer's term of office will be for one year, beginning January 1. Officers may succeed themselves, by majority vote of members present. No officer shall succeed him- or herself more than twice.

C. Powers and Duties of Chairperson

The Chairperson shall:

1. Preside at meetings; communicate with City Council, state historic preservation office, and the public as necessary;
2. Call special meetings;
3. Establish committees, appoint members thereto, and select the chairpersons thereof;
4. Sign minutes, resolutions, and other official documents adopted or approved by the Commission;
5. See that all actions of the Commission are properly taken and carried out; and
6. Present a report on the Commission's activities to the City Council twice yearly.

D. Vice-Chairperson

The Vice-Chairperson shall act as survey manager, overseeing the Commission's work; and assist in the business affairs of the Commission as called upon by the Chairperson; and provide orientation, briefing new members of the Commission. In the absence of the Chairperson, the Vice-Chairperson will assume the duties of the Chairperson.

E. Secretary

The Secretary will keep an accurate record of all business conducted at meetings, assist in the preparation of the annual Certified Local Government report, write correspondence on the Commission's behalf, and maintain the Commission's inventory files with the City Clerk. The Secretary will collect and file e-mails and correspondence pertaining to the Commission's business. The Secretary will send preliminary minutes to the Chairperson within seven days of a meeting.

F. Vacancies

When an office becomes vacant, a majority vote of Commissioners will determine who will fill the vacant office for the remainder of the year until the next election of officers.

G. Removal

A Commissioner may be removed from an office if such officer becomes unable or unwilling to perform the duties of the office. Also, see Removal from the Commission.

ARTICLE III. COMMITTEES

A. Committees

The Commission will establish committees consisting of Commission members and volunteers as necessary. A Commissioner will be chairperson for any committees formed. The committees will carry out duties as designated by the Commission. Regular reports regarding committee activities will be made to the Commission.

B. Committee Members

Committee members will consist of at least one Commissioner and others to be designated by the Commission. Anyone living in the City and/or possessing special knowledge/expertise in the area is eligible to serve on a committee.

C. Special Committees

1. Survey-Evaluation-Registration: Shall be responsible for determining areas, properties, and/or contexts requiring survey, evaluation, and registration; for initiating projects and applying for funding;
2. Inventory: Shall be responsible for overseeing Commission records and files, in particular the property inventory, insuring that materials are acquired, filed, and updated;
3. Public Relations and Education: Will serve as liaison between the Commission and various local groups, e.g., local historical society, owners of National Register and/or locally listed properties, reporting Commission activities to those groups, soliciting their ideas and support. Also responsible for developing public education projects and publicizing Commission work.

4. Local Government: Will serve as liaison between the Commission and other branches of local government identifying areas of mutual concern in which the Commission can assist or has an interest.
5. Additional Committees: As deemed necessary by the Commission.

ARTICLE IV. COMMISSION MEETINGS

A. Notice

Adequate notice of all Commission meetings shall be given to encourage attendance by members and other interested persons and to meet all requirements of law. All Commission meetings shall be open to the public as required by the Iowa Open Meetings Act (Iowa Code, Chapter 21).

B. Meetings

1. The Commission will meet on the second Thursday of the month, at City Hall, 400 Claiborne Drive, Decorah.
2. Special Meetings: Following at least 24 hours' notice to all members of the Commission, and in compliance with other requirements of the Iowa Open Meetings Law, Iowa Code, Chapter 21, additional meetings or special meetings shall be held (a) upon the call of the Chairperson; (b) upon request of at least three (3) of the Commission members; (c) upon request of the City Council. The Chairperson of the Commission shall fix the date, place, and time of the special meeting.

C. Agenda

1. The Chairperson or designated representative, together with appropriate members of City staff, shall prepare an agenda for all regular Commission meetings. Agendas are sent to Commission members, City Council, and the media at least three days prior to regular meetings.
2. The Commission shall furnish the City Clerk with a copy of the meeting agenda and notify the public in accordance with Code of Iowa, Chapter 21.
3. The meeting agenda will be posted in City Hall 24 hours prior to the meeting and will be submitted for publication in Decorah newspapers.
4. Agenda items should be submitted to the Chairperson of the Commission four days in advance of regularly scheduled meetings.

D. Order of Business

1. The order of business at any regular or special meeting of the members of the Commission shall be:
 - a. Call to order;
 - b. Roll call;
 - c. Certification of compliance with Iowa Open Meetings Law;
 - d. Approval of any unapproved minutes;
 - e. Reports of officers and committees;
 - f. Unfinished business;
 - g. New business;

- h. Public comment;
- i. Adjournment

E. Quorum

A simple majority of the Commission shall constitute a quorum for transaction of business.

F. Voting

1. Requirements: The concurring vote of a majority of the quorum shall be necessary for any formal action by the Commission;
2. Procedure: Voting shall be by voice vote and there shall be a vote by roll call for each vote taken. The Chairperson shall vote on each matter but shall always vote last. The vote of each Commission member shall be recorded.
3. Conflict of interests: A member of the Commission who has a direct or indirect financial interest in any matter that is on the Commission agenda, shall publicly state the nature of such interest, and shall excuse him- or herself from the table, and shall not participate in the discussion on such matter or vote on such matter as a Commission member. A conflict of interest should be liberally construed as that which may advance their personal or private interests of not only a Commissioner, but also spouses, business associates, clients, or customers.

G. Parliamentary Procedure

1. Robert's Rules of Order shall govern Commission meetings.

H. Public Participation

1. OPEN MEETINGS LAW. All actions of the Commission shall comply with the Iowa Open Meetings Law (Iowa Code, Chapter 21).
2. All citizen comments to Commission members, written or verbal, relating to all formally referred agenda items shall be presented to the Commission upon its consideration of such agenda item.
3. The public shall be allowed to participate in the discussion of the agenda item by commenting at the appropriate time during the discussion.

I. Minutes

The minutes shall be approved at the next regular meeting by formal action of the Commission. The minutes then shall become part of the permanent records of the Commission. The approved minutes shall be prepared and distributed to the City Council and the Commission members within ten (10) working days after any regular or special meeting by the Secretary.

- J. Open Records. All letters, petitions, documents, and other materials submitted to and/or generated by the Commission are public records open to public viewing in the City Clerk's Office, as provided in Iowa Code, Chapter 22. A charge may be levied for copies of such materials.

ARTICLE V. REPEAL OR AMENDMENT OF BYLAWS

Bylaws can be repealed or amended by majority vote of the Commissioners at any regular meeting of the Commission or at any special meeting called for such purpose at which a quorum is present.

ARTICLE VI. CONFLICT OF INTEREST

No member of the Historic Preservation Commission shall participate in any decisions relating to a contract or permit that affects his/her personal interest or interest of any corporation, partnership, or association in which he/she is directly or indirectly interested or has any interest, direct or indirect. A person has a conflict of interest with respect to a sub grant, contract, sub contract, agreement or permit involving the Historic Preservation Commission, if the person or any of the following has a financial interest in that agreement or permit. This would include:

1. The person, the person's spouse, minor child, or partner;
2. Any organization in which the person is serving as an officer, director, trustee, Partner, employee or;
3. Any person or organization with whom the person is negotiating or has any arrangements concerning prospective employment;
4. Benefit of remuneration, such as royalty, commission, contingent fee, professional services contract, brokerage fee, or other payment accruing to the person or any member of his/her immediate family.