

RULES OF PROCEDURE

CARROLL COUNTY HISTORIC PRESERVATION COMMISSION

Foreword

These standard procedures are issued to assist the Carroll County Historic Preservation Commission, its staff and county agencies, and the general public in the orderly and efficient conduct of all matters with which the Commission is concerned.

Objective

In accordance with Article 66B of the Annotated Code of Maryland, The Carroll County Historic Preservation Commission seeks to foster and safeguard the heritage of the county by preserving the sites, structures and districts of historical, archeological, social, or architectural significance within an Historic District Overlay.

SEC. 1. DEFINITIONS

- 1.1 The word "Commission" shall refer to the Carroll County Historic Preservation Commission.

SEC. 2. OFFICERS AND COMMITTEES

- 2.1 The Commission shall elect a chair, vice-chair and secretary annually, in the month of October.
- 2.2 The chair, or in the chair's absence the vice-chair, shall preside at all meetings and hearings of the Commission. The presiding officer shall decide on all points of order

and procedure, subject to these rules, unless otherwise directed by a majority of the Commission members present.

2.3 Special committees may be appointed for special purposes or study.

SEC. 3. MEETINGS

3.1 Regular meetings shall be held on the 2nd Wednesday of each month unless cancelled or postponed by the Chair or in his or her absence, the Vice Chair, due to a lack of no business or applications that require Commission action. . The Commission shall not meet during the month of July.

3.2 Special meetings may be held to address issues of an urgent nature. These meetings will be conducted according to procedures governing regular meetings and will be scheduled by the chair.

3.3 Attendance – It shall be the duty of each member to attend all meetings. Should any member be absent from one half or more of all meetings held during any six month period, the Commission shall recommend to the County Commissioners of Carroll County that the member’s resignation be requested.

SEC. 4. VOTING

4.1 A quorum shall consist of three (3) members of the Commission.

4.2 The order of business shall be in accord with the agenda prepared by the Carroll County staff in consultation with the chair. Members of the Commission who wish to add to the agenda shall notify the chair of their request ten days prior to the scheduled meeting.

4.3. Questions put to a vote are decided by a majority of the members present and voting; however, no decision shall be made in the absence of a quorum.

4.4 A tie vote by the Commission shall be interpreted as a defeat of the motion upon which the vote was taken.

4.5 Members shall comply with the Carroll County Ethics Law and are encouraged to consult the Carroll County Ethics Commission as to the propriety of their voting on any matter which may involve a conflict of interest.

4.6 In order to be eligible to vote on a matter, a member will have attended all meetings or have become familiar with the record of any meetings from which the member was absent at which the matter was discussed.

4.7 Members' votes and abstentions shall be recorded on each motion.

SEC. 5. PUBLIC HEARINGS

5.1 All public hearings shall be preceded by notices by the secretary as prescribed by law.

5.2 All Commission meetings shall be open to the public as required by the Maryland Open Meetings Law. Any interested person is entitled to appear and be heard by the Commission before it reaches a decision on any matter. The voting on such decisions shall be held during a public meeting and the Commission shall keep an open record of its resolutions, proceedings and actions which shall be available for public inspection during business hours at the appropriate county office. Nothing contained herein shall be construed to prevent the Commission from holding executive sessions from which the public can be excluded in accordance with state law, but no ordinance, resolution, regulation, or recommendation shall be finally acted upon at such executive session.

5.3 Record of Proceedings – It shall be the duty of the Commission’s staff to keep a true and accurate, though not verbatim, record of all proceedings at all meetings and public hearings. The basis for decisions on all applications shall be recorded in the minutes as well as on the application. Minutes should be kept and following each meeting the minutes shall be typed, distributed to the individual members, and if approved by the Commission at its next meeting placed in a record book. The secretary or presiding officer at the meeting shall sign the minutes, resolutions, and other official documents, as adopted or approved.

5.4 A petitioner or applicant may appear before the Commission with or without counsel or may be represented by an agent. In the absence of any personal appearance on behalf of the petitioner, the Commission will proceed to dispose of the matter on the record before it.

5.5 The order of hearing upon an application or petition shall be as follows:

- a. INTRODUCTION OF CASE BY PRESIDING OFFICER
- b. DETERMINATION OF COMPLETENESS OF APPLICATION
- c. PRESENTATION BY THE APPLICANT OF HIS OR HER
AGENT OR ATTORNEY
- d. QUESTIONS BY MEMBERS OF THE COMMISSION
- e. QUESTIONS/COMMENTS BY OTHERS IN ATTENDANCE
- f. FINAL QUESTIONS/COMMENTS BY THE APPLICANT OR
HIS OR HER AGENT OR ATTORNEY OR BY OTHERS IN
ATTENDANCE
- g. FINAL QUESTIONS/COMMENTS BY THE COMMISSION

- h. CONSIDERATION BY THE COMMISSION
- i. CALL FOR MOTION ON THE APPLICATION

5.6 The Commission may postpone or continue any case until the next regular meeting due to a need for additional information from the petitioner or others, lack of a quorum, or for further study. However, the Commission shall act upon a completed application within forty-five (45) days from the date that the completed application was filed with the Commission unless an extension of this forty-five day period is agreed upon mutually by the applicant and the Commission or unless the application has been withdrawn.

SEC. 6. PROCEDURE IN BRINGING MATTERS BEFORE THE COMMISSION

6.1 All applications requiring Commission approval must be filed at least 10 days in advance of the regular monthly meeting.

6.2 To afford commission members the opportunity to become adequately informed as to exterior changes being proposed, complete applications must include:

- (1) Plans, sketches, architectural renderings, diagrams, drawings, etc., which should include:
 - (a) Measurements showing total space or area subject to change; and
 - (b) Samples (e.g., composition, color and texture) of material to be used.
- (2) Photograph(s) which shows details or area to be changed and area in immediate vicinity.
- (3) Any additional information determined necessary by the Commission for any specific project.

SEC. 7 FINAL DISPOSITION OF ALL MATTERS

7.1 The disposition of all formal petitions and requests before the Commission requiring further action by the governing body shall be in the form of a letter of recommendation to the County Commissioners of Carroll County. The petitioner shall be notified by letter of action taken by the Commission.

SEC. 8. CONDUCT OF COMMISSION MEMBERS

8.1 Speaking for the Commission – A member will not appear to speak for the Commission except as authorized by the Commission. In any public or private statement concerning Commission affairs, members will carefully indicate whether they are speaking for the Commission or for themselves.

8.2 Conduct at meetings – Members shall conduct themselves at Commission meeting in a fair, understanding and gracious manner. They shall seek to be considerate of all individuals, attitudes and differences of opinion involved in official Commission business.

8.3 Conflict of Interest – Members of the Commission shall comply with the Carroll County Ethics Law. In the event of a possible conflict of interest it shall be the responsibility of the member to bring the possible or actual conflict to the attention of the Chair. In any case where there is an actual conflict of interest the member shall be recused and shall not participate as a member in the matter.

SEC. 9. PROPOSED AMENDMENTS to these rules of procedure may be introduced at any meeting of the Commission and voted at any subsequent regular meetings, passage requiring three-fifths vote of the membership.

Adopted this 14th day of October, 2009.


Chair

TCB/aea/Attorney/HistoricPreservationCommittee/RulesofProcedure