

TETON COUNTY HISTORIC PRESERVATION BYLAWS

Article I – Purpose of the Organization

The Teton County Commissioners by resolution have created the Teton county Historic Preservation Board to identify, protect and enhance Teton County's historical , archaeological, architectural and cultural heritage.

The Historic Preservation Board will function as a certified Local Government (CLG) in the event the Board is so designated by Wyoming's State Historical Preservation Office (SHPO).

Article II – Office and Records

The Board shall maintain a registered office at the Teton County commissioner's Office to keep its files, records and documents. All records are made available for public inspection at that location during business hours.

Article III – Preservation Board

1. The Teton County Commissioners shall appoint all board members; that number shall not be less than seven (7) nor more than eleven (11). Any vacancies on the Board shall be filled within sixty (60) days by the County Commissioners.
2. Qualified non-residents may serve on the Board, provided they fulfill the meeting requirements.
3. Board members must have interest, knowledge or experience in the fields related to historic preservation. At least two members of the Board shall be professionals (as defined by SHPO) in fields related to historic preservation: History, archaeology, historic architecture, planning or other related disciplines such as American civilization, cultural geography or cultural anthropology.
4. National Park Service personnel are ineligible to serve on the Board.
5. One (1) Teton County Commissioner may serve, on a yearly basis, as an ex-officio member of the Board.

6. Terms of Office: Initially three (3) members will be appointed for a three-year term, three (3) members for a two-year term, and four (4) members for a one-year term. Thereafter, successive Board membership will rotate on a three-year basis. If a Board member resigns, dies or is removed by the County Commissioners, the newly appointed member will serve the full length of the unexpired term.
7. The Board will meet monthly and special meetings may be called by the Board President as deemed necessary. All meetings are open to the public.
8. Any member may be removed from the Board by the County Commissioners for failure to attend at least eight (8) of the twelve (12) monthly meetings. Failure of any member to notify the Board of any potential conflict of interest is cause for immediate dismissal. (See Article VI).

Article IV – Election of Officers & Duties

- 1a. Nomination and election of officers for the upcoming year will be held at the first monthly meeting following certification by SHPO. Thereafter, the annual election will be held on the anniversary month of the initial election. Election of officers shall be by secret ballot.
- 1b. Each elected officer shall serve for one (1) year, or until his or her successor takes office. All officers shall be eligible for re-election to serve no more than four (4) consecutive one-year terms in the same position. Officers who have served four (4) consecutive one-year terms in the same position may be reelected to that position after one year of holding a different office or holding no office .
2. The officers of the Board shall consist of a President, Vice President, Secretary and Treasurer.
- 3a. The President's duties: 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 be allowed to cast a vote. The President shall cast a vote on all motions and issues. The President shall also announce the result of any votes and authenticate, by his or her signature when necessary, all resolutions and orders of the Historic Preservation Board.

3b. The Vice President's duties: Has such powers and performs such duties as may be prescribed from time to time by the Board or President. In the absence or disability of the President, the Vice President assumes all powers to perform the duties of President and such other duties designated by the Board.

3c. The Secretary: Shall be responsible for preparing the agenda, keeping the records and minutes of each meeting, keeping a roll call, sending written notification of all meetings to

Board members, the County Commission and representatives from the U.S. Forest Service, Grand

Teton National Park, National Elk Refuge, Bureau of Land Management and the Jackson Chamber of Commerce. The secretary shall also record the number of votes for and against any 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.

3d. The Treasurer: shall be responsible for keeping a record of all monies received and disbursed each month, and to prepare a financial report for the annual report.

4. All officers are eligible to vote with the other members of the Board, unless a conflict of interest exists. See Article VI.

5. A quorum shall be a simple majority of the Board present at a duly announced meeting.

Article V – Advisory Committees

The Board shall, whenever it deems necessary, form advisory committees to carry out the business of the Board. Membership on these committees shall include one Board member. Upon dissolution of the advisory committee, the chair of said committee shall give a report to the Board.

Article VI – Conflict of Interest

Any member of the Board who has any financial or professional interest in any question called to vote shall notify the Board of such interest and abstain from all discussion and voting on any matter under consideration.

Article VII – Transaction of Business

1. The Board shall conform to the Teton County Commissioner's fiscal year dates.
2. Board meetings shall be conducted in accordance with Robert's Rules of Order.

Article VIII – Annual Report

The Board shall prepare an annual report as required by SHPO. The report should summarize the Board's actions on designations, application review and decisions, and National Register nomination reviews. The report should also describe changes to any districts and landmarks over time. The report should describe any activities such as surveys and public education. The report should provide resumes for any new Board members and updated resumes for continuing Board members. The annual report shall be prepared by the Board Secretary and Treasurer, assisted by the other officers, and shall be submitted to the County Commissioners and SHPO by January 31 of each year.

Article VIII – Amendment to Bylaws

These bylaws may be amended at any regular or special meeting of the Board by the affirmative vote of a majority of the Board members in office.

Ratified: June 4, 1996

Amended : April 1999

Amended: February 2003

PROPOSED AMENDMENTS TO THE BYLAWS OF THE
TETON COUNTY HISTORIC PRESERVATION BOARD

August 9, 2011

The Teton County Historic Preservation Board, by a vote of its Members in accordance with Section IX thereof, approve the following amendments to its Bylaws and recommend to the Teton County Commissioners that such amendments be acknowledged and ratified.

AMENDMENTS:

Article III, Section 8, is hereby amended and restated in its entirety to read as follows (changes in italics):

Any member of the Board acting in violation of these Bylaws, a binding resolution of the Board, or the Teton County Historic Preservation Resolution of May 28, 1996, may be reprimanded by the affirmative vote of a majority of the Board, and, at the Board's discretion, be referred to the County Commissioners for further disciplinary action or removal. Any member may be removed from the Board by the County Commissioners for (a) failure to attend at least eight (8) of the twelve (12) monthly meetings, (b) failure of any member to notify the Board of any potential conflict of interest (See Article VI), or (c) upon the recommendation of the Board consistent with this Section 8.

Article IV, Section 3a, is hereby amended to add the following sentence to the end thereof:

The President shall be the sole spokesperson for the announcements, statements, business, opinions and policy of the Board, and all Board members shall refer inquiries from any third party with respect to Board business to the President.

The foregoing Amendments to Bylaws are hereby approved by resolution as of August __, 2011 as certified below by the President of the Board.

Jesse O'Connor
President

TETON COUNTY
HISTORIC PRESERVATION RESOLUTION

Section 1: Statement of Purpose and Public Policy

(A) Recognizing that the role of historic preservation is more to encourage and assist rather than regulate, this resolution shall be called "The Teton County Historic Preservation Resolution".

(B) The State of Wyoming and Teton County have a wide range of cultural resources that include prehistoric and historic sites which are invaluable remains illustrating our state's past. The Teton County Commissioners hereby find that the State of Wyoming and Teton County are noteworthy for their historic sites and natural beauty. The cultural resources in Teton County include: ranches, farms, homestead sites and structures, American Indian sites, historic and archaeological sites, and a significant cultural landscape. In recent years significant structures, and historic and archaeological sites have been destroyed or have deteriorated from neglect without adequate consideration of either the values represented therein or the possibility of preserving the properties for use in productive ways. Citizens of Teton County share the belief that Wyoming's cultural resources enhance the quality of life for all residents and visitors and promote Teton County's general welfare. It is hereby declared a matter of public policy that the protection, enhancement, and perpetuation of significant historical, archaeological, and architectural sites of value is a public necessity and is required in the interest of health, prosperity, safety and welfare of the people. The purpose of this section is to:

(1) Effect and accomplish the protection, enhancement, and perpetuation of such cultural resources which represent or reflect elements of Teton County.

(2) Protect Teton County's historic, archaeological, architectural, and cultural heritage, as embodied and reflected in such historic structures, sites and districts.

(3) Foster civic pride in the beauty and noble accomplishments of the past.

(4) Protect and enhance Teton County's historic attractions to residents and visitors by promoting the preservation, use, and interpretation of historic structures, sites, and districts for the education, pleasure, and welfare of the people.

(5) The Teton County Commissioners enact this resolution as stated above to help preserve Wyoming's heritage. The Teton County Commissioners endorse the State of Wyoming's Certified Local Government program and agree to participate in this historic preservation program. Teton County is eligible to participate in the CLG program by provisions specified in Section 16-1-101, W.S. 1977.

Section 2: Definitions

For purpose of clarity, the following definitions will apply throughout this part:

(A) "local government" means a city, town, county or any other political subdivision within the State of Wyoming.

(B) "historic preservation commission" means a board, council or commission, or other similar body established by local legislation or regulation.

(C) "state historic preservation officer" or "SHPO" means the individual appointed by the Governor to administer Wyoming's historic preservation program.

(D) "national register of historic places" means the federal government's official list of properties judged to be worthy of preservation. The National Register program in Wyoming is administered by the the Wyoming SHPO.

Section 3: Historic Preservation Commissions

(A) This resolution hereby authorizes the creation of a historic preservation board known as the Teton County Historic Preservation Board.

(B) The Teton County Commissioners shall appoint Board members to the commission; each appointment will represent a wide range of backgrounds and interests to represent Teton County's diverse heritage.

(C) The Board shall consist of no less than seven (7) and no more than nine (9) members. Qualified non-residents of Teton County may serve on the Board.

(D) Members of the Board shall serve without compensation.

(E) All Board members must have a demonstrated interest, knowledge, or experience in the fields related to historic preservation as described as follows:

(F) To the extent that such professionals are available in the community, at least two (2) members of the Board shall be professionals (as defined by SHPO) in fields related to historic preservation (e.g. history, archaeology, historic architecture, planning, or other related disciplines such as: American civilization, cultural geography, or cultural anthropology.) If historic preservation professionals do not reside within the county, expertise may be obtained from other Wyoming communities. Information on the credentials of the Board members must be kept on file and available for public inspection.

(G) When an appropriate discipline is not represented among the Board members, the Board shall be required to seek the appropriate expertise when considering National Register nominations or other actions that will impact properties which are normally evaluated by a professional in such disciplines.

(H) Minutes or records of the proceedings of the Board shall be transmitted to the Teton County Commissioners. The Board shall monitor and report to the SHPO any activity affecting significant property within Teton County.

(I) An annual report of the activities of the Board shall be submitted to the Teton County Commissioners and the SHPO. Such reports shall include but are not limited to items such as: proposed National Register nominations, updated resumes of Board members, appointments to the Board, meeting attendance records, progress reports on survey activities, National Register nominations reviewed, and problem areas.

(J) Board meetings shall be held monthly.

(K) The Teton County Commissioners shall act within sixty (60) days to fill any vacancy on the Board.

(L) Each Board member is encouraged to attend at least one informational or education meeting per year as sponsored by the SHPO that pertains to the work and functions of the Board or to historic preservation. The SHPO will provide information to all historic preservation boards.

(M) The Board in addition to any appropriations made by the Teton County Commissioners shall have the right to receive, hold, and spend funds which it may legally receive from any and every source both in and out of the State of Wyoming for the purpose of carrying out the provisions of this Resolution.

(N) The Board shall adopt rules of procedure for the conduct of its business in accordance with the provisions of this Resolution. Such rules of procedures shall be filed with the Teton County Commissioners. Terms of the Board members and the election of officers shall be determined within the Board's rules of procedure.

Section 4: Duties and Powers of the Historic Preservation Board

(A) Conduct cultural resource surveys of structures and various geographical areas for the purpose of determining architectural, historical, cultural, and/or archaeological significance; to maintain detailed listings of significant structures, sites, and districts.

(B) Propose to the Teton County Commissioners, criteria for the evaluation and designation of district, buildings, structures, sites, or objects located within the Teton County Commissioners' jurisdiction. The criteria

should be compatible with the Department of Interior's criteria for evaluation of potential entries to the National Register of Historic Places as follows:

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, settings, materials, workmanship, feeling, and association, AND:

1. that are associated with events that have made a significant contribution to the broad patterns of our history; OR
2. that are associated with the lives of persons significant in our past; OR
3. that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; OR
4. that have yielded, or may likely to yield, information important in prehistory and history.

(C) Designate districts, sites, buildings, structures and objects which meet the criteria because they are significant in American history, architecture, archaeology and culture. This recognition of local districts, sites, buildings, structures and objects shall be entitled locally as specified in Section 6 (A). Ultimately, designations by the Historic Preservation Board shall be submitted to the Teton County Commissioners for ratification.

(D) Act as advisors on historic preservation issues to appropriate local government agencies.

(E) Promote historic preservation awareness through a wide range of activities such as guided tours, educational seminars, and published materials.

Section 5: Inventory of Significant Cultural Resources

(A) As stated in Section 4 (A), the Historic Preservation Board shall conduct a cultural resource inventory of Teton County.

(B) The local inventory shall:

(1) be accessible to the public unless access to archaeological or historic information must be restricted for protective purposes as stated in the Archaeological Resources Protection Act.

(2) be updated periodically to reflect new information.

(3) incorporate information about buildings, sites, structures, districts or objects enrolled in, or eligible for, listing in the National Register of Historic Places.

(4) be supplied to the SHPO through the use of duplicates for use in SHPO inventory files.

(C) Current historic preservation methodology as established by the Department of the Interior and SHPO shall serve as a guideline for the cultural resource survey.

(D) Cultural resource consultants may be retained to assist in the performance of the survey duties of the Board.

Section 6: Designation of Local Cultural Resources

(A) Based upon the results of the cultural resource inventory, the Board shall complete a list of districts, buildings, structures, sites or objects that meet the criteria for eligibility as specified in Section 4 (B), the Department of the Interior's criteria for the National Register of Historic Places. The Board shall establish an official list of locally significant cultural resources and give this list an appropriate title.

(B) The Board shall submit the proposed designation of local sites to the Teton County Commissioners for ratification.

(C) The designation shall contain specific boundaries for proposed designations.

Section 7: Participation on the National Register Process

(A) The Board shall review each National Register nomination pending within Teton County.

(B) The Board will comply with Section 4 of the "Rules and Regulations Pertaining to the Certification of Local Governments" as written by the SHPO and officially approved by the Department of the Interior.

THIS RESOLUTION IS SIGNED AND ACCEPTED BY THE TETON COUNTY COMMISSIONERS:

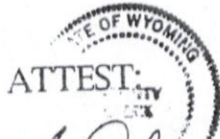
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B. Johnson Coonce 5-28-96
Teton County Clerk Date