

STATE OF COLORADO)
)
COUNTY OF RIO BLANCO)

RESOLUTION NO. 2005- 23

A RESOLUTION CREATING THE RIO BLANCO COUNTY HISTORIC PRESERVATION ADVISORY BOARD, SETTING THE TERMS THEREOF AND APPOINTING MEMBERS TO THE HISTORIC PRESERVATION BOARD

Recitals

WHEREAS, the Board of County Commissioners of Rio Blanco County is authorized by Colorado Revised Statutes Section 30-11-107(1)(bb) to provide for the preservation of the cultural, historic, and architectural history within the county by ordinance or resolution; to delegate the power to designate historic landmarks and historic districts to an historic preservation advisory board; to accept dedicated or deeded easements or other historic property and to expend moneys for the maintenance of such deeded historic land, facilities, and structures; and to receive contributions, gifts, or other support from public and private entities to defray the maintenance costs of such historic land, facilities, and structures; and

WHEREAS, the Board of County Commissioners of Rio Blanco County has determined that there are artifacts, landmarks, sites, land, facilities and structures within Rio Blanco County which possess cultural, historic and architectural attributes that should be protected; and

WHEREAS, a means of identifying, designating and preserving for protection the artifacts, landmarks, sites, land, facilities and structures within Rio Blanco County which possess cultural, historic and architectural attributes needs be created; and

WHEREAS, the Board of County Commissioners of Rio Blanco County, desiring to establish a historic preservation advisory board, delegate authority to such board, and to delimitate the scope, powers and duties thereof; and

WHEREAS, the recognition and designation of landmarks, sites, land, facilities and structures within Rio Blanco County which possess cultural, historic and architectural attributes preserves the historic and cultural history of Rio Blanco County and serves the best interest of the citizens of Rio Blanco County.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. Purpose:

The purpose of this resolution is to promote the public health, safety, and welfare through:

- (a) the protection and preservation of the historic and cultural heritage of Rio Blanco County by providing for the designation of historic buildings, structures, objects, landmarks, sites

and districts (collectively referred to hereinafter as "historic places") in accordance with this resolution; and

- (b) the enhancement of property values, and the stabilization of historic neighborhoods, farms, ranches, sites of historical events, etc.; and
- (c) the increase of economic and financial benefits as a result of the attraction of tourists and visitors to Rio Blanco County; and
- (d) the provision of educational opportunities to increase public appreciation of Rio Blanco County's unique heritage.

Section 2. Board Established:

A Historic Preservation Advisory Board is hereby created to be known as the Rio Blanco County Historic Advisory Preservation Board (the "Board") which shall have principal responsibility for matters of historic preservation as set forth in subsection 2(g) hereof.

- (a) Membership: The Board shall consist of five (5) members, and shall serve at the pleasure of the Board of County Commissioners. All members shall be residents of Rio Blanco County. To the extent practicable, the Board members should be geographically representative of all of Rio Blanco County and should have a demonstrated interest in and commitment to historic preservation. To the greatest extent practicable, members of the Board should have training and experience in history, architecture, archaeology, architectural history or historic architecture.
- (b) Appointments and terms of office: The initial Board shall consist of five (5) members who shall serve, the term set forth adjacent to the member name. Thereafter, members of the Board shall be appointed by the Board of County Commissioners and shall serve three (3) year terms, subject to removal with or without cause at any time by the Board of County Commissioners. The following initial Board is hereby appointed to the designated terms:

<u>Name</u>	<u>Term from Date of Appointment to</u>
David Bull – 730 Lake Street, Rangely, CO	January 31, 2007
Dee Weiss – 15000 RBC 115, Meeker, CO	January 31, 2007
Teresa Farney – 211 Morrison Ave., Rangely, CO	January 31, 2008
Steve Wix – 298 Agency Drive, Meeker, CO	January 31, 2008
Chris Uphoff – 17037 RBC 5, Meeker, CO	January 31, 2009

The foregoing provisions notwithstanding, any duly appointed member of the Board shall continue to serve until the member's successor has been appointed. Members may be appointed to serve successive terms without limitation. Appointments to fill vacancies on the Board shall be made by the County Commissioners.

All members of the Board shall serve without compensation except for such amounts determined appropriate by the County Commissioners to offset expenses incurred by Board members in the performance of their duties as Board members.

- (c) Quorum and voting: A quorum shall consist of not less than three (3) members of the Board present at a meeting and eligible to vote. A quorum is necessary for the Board to hold a meeting or to take official action. A roll call vote shall be taken upon the request of any member. A tie vote shall be deemed denial of the motion or recommended action.
- (d) Officers: The Board shall, by majority vote, elect one (1) of its regular members to serve as chairperson to preside over the Board's meetings and one (1) regular member to serve as vice-chairperson. The members so designated shall serve in these capacities for terms of one (1) year, and may serve successive terms.
- (e) Meetings: The Board shall hold at least one regularly scheduled meeting per calendar quarter. Said meetings shall be held at such times and places as the Board determines to be appropriate. Minutes shall be kept of all Board meetings. The Board shall comply with all requirements of the Open Public Meetings Act, (C.R.S. ' 24-6-401 et seq.) applicable to "local public bodies" as defined in that Act.
- (f) Powers and duties: The Board shall:
 - (1) From time to time, the Board shall review the criteria for designation of historic places set forth in Section 3 hereof and make recommendations to the County Commissioners for amendments thereto which the Board believes appropriate or necessary.
 - (2) Review applications for designation of places as being historic pursuant to this resolution and make recommendations to the County Commissioners as to whether the County Commissioners should, by resolution, designate the place described in the application for such designation based upon the criteria established in Section 3 of this resolution and any subsequent amendments thereto.

In addition to the above duties, the Board may, at its discretion:

- (3) Advise and assist owners of historic properties on the physical and financial aspects of preservation, renovation, rehabilitation, and reuse including nomination to the Colorado and National Registers of Historic Places.
- (4) Develop and assist in public education programs including but not limited to walking tours, brochures, a marker program of historic properties, lectures, and conferences.

- (5) Conduct surveys of historic places for the purpose of defining those of historic significance, and prioritizing the importance of identified historic places.
- (6) Advise the County Commissioners on matters related to preserving the historic character of the County.
- (7) Pursue financial assistance for preservation related programs.
- (g) Rules and procedures for Board: The Board may establish additional rules of operation that are consistent with their duties.

Section 3. Criteria for Designation of Historic Places:

In order to qualify for designation as an historic place pursuant to this resolution, the place must be determined to have historic significance due to one or more of the following factors:

- (a) Its character, interest, or value as part of the development, heritage, or cultural characteristics of Rio Blanco County, state of Colorado, or the United States.
- (b) Its location as a place of a significant historic event.
- (c) Its identification with a person or persons who significantly contributed to the culture and development of Rio Blanco County.
- (d) Its exemplification of the cultural, economic, social, or historic heritage of Rio Blanco County.
- (e) Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style.
- (f) Its embodiment of distinguishing characteristics of an architectural type or specimen.
- (g) Its identification as the work of an architect or master builder whose individual work has influenced the development of Rio Blanco County.
- (h) Its embodiment of elements of architectural design, detail, materials, or craftsmanship that represent a significant architectural innovation.
- (i) Its relationship to other distinctive areas that are eligible for preservation according to a plan based on an historic, cultural, or architectural motif.
- (j) Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood, community, or Rio Blanco County.

Section 4. Designation of Historic Places:

- (a) Recommendations for designation of historic places. Pursuant to the procedures hereinafter set forth in this section, the Board may, by written recommendation to the County Commissioners propose the designation as an historic place any building, structure, object, landmark, site or district meeting the criteria set forth in Section 3 hereof, as amended from time to time.

Each such designation recommendation shall include a description of the characteristics of the place which justify its designation and shall include a legal description of the location and boundaries of the historic place. The designation recommendation may also indicate alterations which would have a significant impact upon, or be potentially detrimental to, the historic features of the place. Any such designation shall be in furtherance of and in conformance with the purposes and standards of this Section.

The place included in any such designation shall be subject to the notification requirements set forth in Section 7 hereof.

- (b) Procedures for designating historic places for preservation. Applications for designation must be made to the Board. The Board may require that such application be made in such form as specified by the Board. Application shall be made only by the owners of one hundred percent of the historic place for which an application is submitted.

(1) Staff Review. The staff shall review the application for conformance with the criteria for designation established in Section 3 hereof, as it may be amended, and with the purposes of this Section. Such review shall be concluded no more than thirty (30) days after filing the application for designation. The staff shall forward the application and its recommendation to the Board.

(2) Board Review. The Board shall consider the application at a regularly scheduled or special meeting after the completion of the staff review. The Board shall either approve, approve subject to conditions, or disapprove the application. The Board shall notify the County Commissioners immediately following any decision approving, approving subject to conditions or disapproving an application. The Board may table any application to obtain additional information or for other valid reason but no tabling shall be for more than one hundred twenty (120) days. In the event that the Board does not take final action on any application within such time, it shall be deemed approved and forwarded to the County Commissioners for review.

(3) County Commissioner Action. Unless an application is withdrawn by the applicant within sixty (60) days of the date on which the County Commissioners are advised of any decision of the Board recommending approval or disapproval of an application, the County Commissioners shall approve, approve subject to conditions, or disapprove the proposed designation. The County Commissioners shall advise the Board in writing of their decision regarding the designation.

Section 5. Limitation on Resubmission and Reconsideration of Proposed Designation:

Whenever the Board or County Commissioners approves subject to conditions not acceptable to the applicant or disapproves an application for designation of an historic place, no person shall submit an application that is the same or substantially the same for at least six (6) months from the effective date of the final action on the original application.

Section 6. Amendment of Designation:

Designation of an historic place may be amended to add features or property to the place under the procedures prescribed in Section 4 for initial designations.

Section 7. Notification:

Any owner filing an application for designation of property under this resolution shall, as a part of the application, agree to notify the Board of the owner's intention to alter, demolish, move or remove the place subject to the application at least fifteen (15) days prior to undertaking any such work. Any such owner shall be responsible for notifying any subsequent purchaser of the property of this notification requirement and the Board may revoke the designation of the place hereunder unless the subsequent purchaser agrees in writing to the provisions of this Section 7.

Section 8. Revocation of Designation:

Upon receipt of an application from the then-current owner of a place which has been designated as historic pursuant to this resolution for revocation of that designation, the Board shall advise the County Commissioners of such application and the County Commissioners shall remove the designation. In addition, upon learning of the alteration, demolition, movement or removal of a place which has been designated as historic pursuant to this resolution, or a violation of Section 7 of this resolution, the Board shall, following at least fifteen (15) days written notice to the then-current owner of the place subject to the designation and following staff review, conduct a hearing to determine whether it should recommend to the County Commissioners that the historic designation of the place involved be removed. Following such hearing, the Board shall transmit its written recommendation to the County Commissioners who shall, within sixty (60) days thereafter, determine whether to accept the recommendation and remove the designation. The County Commissioners shall notify the Board of their decision regarding revocation of the designation.

Section 9. Effective date:

This resolution shall be effective immediately upon its execution and recordation in the minutes of the Rio Blanco County Board of County Commissioners.

THIS RESOLUTION is executed this 13th day of December, 2005.

BY THE RIO BLANCO COUNTY BOARD OF
COUNTY COMMISSIONERS

Forrest F. Nelson

Forrest F. Nelson, Chairman

Kim A. Cook

Kim A. Cook



ATTEST:

Nancy A. Amick

Nancy A. Amick
Rio Blanco County Clerk

Kenneth C. Parsons

Kenneth C. Parsons