

Commenter Key

Blue: Amber Koski

Pink: Alycia Luke

Purple: Karina Valencia

Red: Sonja Norton

Orange: Christine Cooper

Requirements for the Historic Preservation Board

Historic Preservation Commission

- a. The commission shall consist of at least five (5) members.
- b. All commission members must have a demonstrated interest, knowledge, or experience in the fields related to historic preservation.
- c. To the extent available in the community, at least two (2) members of the commission shall be professionals in fields related to historic preservation (i.e., history, architectural history, archaeology, historic architecture, or planning).
- d. Commission meetings shall be held at least twice a year and conduct business in accordance with the Open Public Meeting laws of Utah. This includes public notification of meeting place, time and agenda items.
- e. Written minutes of each commission meeting shall be prepared and made available for public inspection.

Duties

- a. Advise the City Council and other interested parties in the community on matters related to historic preservation and history.
- b. Coordinate with other City entities and community organizations related to the community's history and cultural affairs.
- c. Conduct surveys of local historic properties in compliance with standards set by the State Historic Preservation Office.
- d. Support the enforcement of all state and local legislation relating to historic preservation.
- e. Maintain an inventory of surveyed historic properties, including site forms and related support materials, in a publicly accessible location.
- f. Participate in planning and land-use processes undertaken by the City that have the potential to affect historic properties.
- g. Promote and conduct educational and interpretive programs related to the community's history and historic properties.
- h. Review and comment to the State Historic Preservation Office regarding all proposed National Register nominations of properties in the community. Local review is allowed a minimum of 60 days.
- i. Apply for and administer grants and other financial aid for historic preservation and history-related projects in the city.

Comment [1]: @aluke@uintah.utah.gov I'm gonna take a stab at moving things around a bit, please feel free to correct me!
Assigned to aluke@uintah.utah.gov

Comment [2]: Sounds great to me! Thank you!

Comment [3]: This is where you find the minimum professional standard of the two board members. You can flesh this out as much as you want. Amber and Aaron are our two professionals on this board with archaeology and engineering as their respective backgrounds.

Comment [4]: Moved to Duties section.

Uintah County Historic Preservation and Heritage Museum Advisory Board Heritage Museum By-Laws Adopted 1105/1816/202417

Article I. Advisory Board

Section 1. Establishment

The Uintah County Historic Preservation and Heritage Museum Advisory Board is established under the provisions of Uintah County, UT Code of Ordinances, Chapter 2.~~2530~~. The primary purpose of the board is to advise the Uintah County Commission on matters pertaining to Uintah County Historic Preservation and the Uintah County the Heritage Museum. The duties and terms of board members are enumerated in the ordinance.

Article II. Officers

Section 1: Election of officers

Board members shall annually select a chairperson and secretary. Except for the first board, officers shall be selected annually in January or as close to this month as possible.~~May~~. The Chairperson cannot serve for more than two consecutive terms as a chairperson.

Article III. Officers' Duties

Section 1. Duties of the Chair

The Chairperson shall preside at all meetings, authorize calls for any special meeting, call for votes, and generally perform the duties of the Presiding officer. The Chairperson shall only vote on election of officers and to break a tie vote of the board. In the absence of the Chairperson, a member of the board shall preside at meetings and perform the duties of the Chairperson.

Section 2. Duties of the Vice Chair

The Vice Chair shall act in the stead of the Chair in their absence.

Section 3.2. Duties of the Secretary

Comment [5]: Listing the name as we currently have it in county code, which does not include Heritage. Checking with Jon to see how we want to fix the discrepancy in how we have it listed in our county code and how it is listed on the public notice website.

Comment [6]: Right. If possible, it would be nice to have "Heritage" in the ordinance title since there are 2 other museums in Vernal. Thank you for updating.

Comment [7]: We will be doing an ordinance to amend the name so that it includes Heritage, so I will go ahead and add in Heritage.

Comment [8]: That sounds great, thank you!

Comment [9]: Why are we deleting Uintah County before Heritage Museum if that is our full name? It's fine either way, I'm just wondering if there is a specific reason.

Comment [10]: I just saw this comment. I just changed the language to match up with how it was written before. It just said advise the county commission on matters pertaining to the Heritage Museum, not Heritage Museum board, so that's why I changed it to say matters pertaining to Uintah County historic preservation, and the Heritage Museum and did not include board or the entire name. Hopefully that makes sense.

Comment [11]: The ordinance I am looking at shows it is under Chapter 2.25 of code?

Comment [12]: Yep, you are correct.

Comment [13]: These are the original heritage museum bylaws I think it might have been ordinance 2.30 back then.

The Secretary of the Board shall (with the assistance of assigned staff) keep a true and accurate account of all proceedings of board meetings. A typed copy of the minutes for Museum Board records shall be approved by the board secretary. The approved minutes, as well as board Museum policies, ~~shall be made available to the public shall be made available on the Utah Public Notice Website in accordance with Utah Code Annotated, Title 52, Chapter 4, - Open and Public Meetings Act OPMA and then we will cite the code at the front desk of the Museum, and other places as may be required by law including the Utah Public Notices Website.~~ <https://www.utah.gov/pmn/index.html>

Article IV. Meetings

Section 1. Regular Meetings

Regular board meetings shall be held quarterly in a schedule published no later than December 31st of each year. All regular board meetings are to be open to the public. The Museum Curator in cooperation with the Chairperson shall create an agenda for each regular meeting. The secretary Museum Curator will ensure that the agenda and notice of all regular meetings are published and posted in accordance with county ordinance and state statute.

Special or Emergency meetings may be called at any time by the Chairperson, provided that written notice is given to all Board members and the public at least 24 hours in advance and is posted in accordance with county ordinance and state statute.

Section 3. Quorum

A quorum shall consist of a majority of the board members. All board members are to have equal voting rights with the exception of the Chairperson who will only vote to elect officers and in the case of a tie vote.

Section 4. Agenda

Any persons or group wishing placement on the agenda for regular Board meetings shall give written notice to the Museum Curator or Chairperson of the Board five business days in advance of the meeting. Groups are to be represented by one spokesperson.

Section 5. Electronic Participation in Meetings

(a) If one or more members of the Board desire to participate electronically, such member(s) shall contact the Museum Curator or Chairperson of the Board. The Curator and/or Chairperson shall assess the practicality of facility requirements needed to conduct the meeting electronically in a manner that allows for the attendance, participation and monitoring as required consistent with County Ordinance and State Law. If it is practical, the Chairperson shall determine whether to allow for such electronic participation, and the public notice of the meeting shall so indicate.

Comment [14]: Should have a specific number of board members that constitutes a quorum?

Comment [15]: If we want to do that it would be four, since there are 7 members. We could make that language specific. If we leave it more vague then if we end up changing the number of members we don't also have to change this language. I could see us going in either direction. It's up to you guys.

Comment [16]: I actually looked at the ordinance and it says "not less than five and not more than seven members". So the board can fluctuate in size, I think we should keep "majority".

Comment [17]: Is this an acceptable amount of time, or do we want more notice?

Comment [18]: Three days

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Comment [19]: I don't think we need to deliberate in the text if it is feasible at this point. I have done several meetings with Google Meet if we have needed them. It is practical and feasible.

In addition, the notice shall specify the anchor location where the members of the Board not participating electronically will be present and where interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

(b) The anchor location is the physical location where the electronic meeting originates or where the participants are connected. The anchor location shall be identified in the public notice for the meeting. Unless otherwise designated in the notice, the anchor location shall be ~~a room in the Uintah County Administrative Building 152 East 100 North, Vernal, Utah 84078~~ a room in the Uintah County Library 204 E 100 N, Vernal, Utah 84078, where the Board would normally meet if the Board was not holding an electronic meeting.

(c) Notice of the possibility of an electronic meeting shall be given to the Board members at least 24 hours before the meeting. In addition, the notice shall describe how a Board member may participate in the meeting electronically.

(d) When notice is given of the possibility of a Board member participating electronically, any Board member may do so and any voting Board member, whether at the anchor location or participating electronically, shall be counted as present for purposes of a quorum and may fully participate and vote. At the commencement of the meeting, or at such time as any Board member initially appears electronically, the Chairperson shall identify for the record all those who are participating electronically. Votes by members of the Board who are not at the anchor location of the meeting shall be confirmed by the Chairperson.

(e) The anchor location will have space and facilities so that interested persons and the public may attend, monitor and participate in the open portions of the meeting, as appropriate.

Article V. Committees

Section 1. Administrative duties

Administrative duties shall be delegated to the Museum Curator. No standing committees shall be appointed which are devoted to these activities.

Section 2. Committee of the Whole

The entire board shall act as a "Committee of the Whole" when considering policy request, acquisitions, proposals, etc.

Section 3. Ad Hoc Committees

Ad Hoc committees for the study and investigation of temporary problems may be appointed by the Chairperson of the Board to serve until the completion of the work for which they are assigned. The participation of the public shall be sought for such study and investigation.

Article VI. Duties and Responsibilities of Board Members

Section 1. The duties of the board are enumerated in Uintah County Code 2.2530.0750, as enacted by Uintah County Ord. No. 12-28-2015 01, 12-28-2015. See appendix 1.

Advise the County Commission ~~City Council~~ and other interested parties in the community on matters related to historic preservation and history.

Coordinate with other County~~City~~ entities and community organizations related to the community's history and cultural affairs.

Conduct surveys of local historic properties in compliance with standards set by the State Historic Preservation Office.

Support the enforcement of all state and local legislation relating to historic preservation. Maintain an inventory of surveyed historic properties, including site forms and related support materials, in a publicly accessible location.

Participate in planning and land-use processes undertaken by the County ~~City~~ that have the potential to affect historic properties.

Promote and conduct educational and interpretive programs related to the community's history and historic properties.

Review and comment to the State Historic Preservation Office regarding all proposed National Register nominations of properties in the community. Local review is allowed a minimum of 60 days.

Apply for and administer grants and other financial aid for historic preservation and history-related projects in the County ~~city~~.

Subject to approval of the county commission and in accordance with county ordinances, policies, and procedure, and in compliance with federal and state law, the board is hereby granted responsibility for:

A. Recommending Historic Preservation and Museum policies to the Uintah County Commission in cooperation with the museum curator and assigned Uintah County department head(s) for the use, operation, maintenance, and care of the museum, museum facilities, equipment, staff, and other such resources;

B. Recommend policies for the enforcement of museum rules;

C. Recommend policies for the selection, acquisition, cataloging, maintenance, and use of the museum collections and information resources;

Comment [20]: Is this where we would include the State mandated duties for preservation boards?

Comment [21]: I would say most probably.

D. Submitting all policies to the county attorney for review, prior to adoption, in compliance with federal, state, and county law;

E. Make recommendations to the county commission about the disposition of museum objects that are not within the scope of the museum's mission or that the museum is otherwise unable to properly store and/or care for;

F. Prepare or cause to prepare an annual report to the county commission on the activities and status of Historic Preservation within Uintah County

G. Submit reports as may be required to the various county, state, or federal agencies.

H. In cooperation with the museum curator, provide budget recommendations to the county commission that will enable the museum to meet its objectives.

I. Perform such other duties and exercise such other powers as may be specifically assigned or delegated to the board by the county commission.

J. To the extent possible within the community, two board members shall be professionals, as defined by National Park Service regulations, from the disciplines of history, and architecture or architectural history.

Article VII. Amendments to the By Laws

Section 1. Written notification of any proposed changes in the by-laws must be given to the Museum Board a month in advance. The changes must be ratified by a three-fifths majority of the Board; or if notice is not given, they must be passed by unanimous vote.

After the previous part of the original document, it has appendix one which is the ordinance for the museum board. Instead of copying that into here, I copied the new ordinance of the new board. I figured that would help us with this process. You will find that below.

Chapter 2.25 HISTORIC PRESERVATION AND Heritage MUSEUM ADVISORY BOARD

2.25.010 Authority of Utah Code Ann. § 17-50-326.

Recognizing that the historical heritage of the state is among its most valued and important assets, it is the intent of the legislature that the counties, cities and towns of this state shall have the power to identify, preserve, protect and enhance historic and prehistoric areas and sites

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Comment [22]: Specifically, a member with a Graduate degree in history, or architecture/architectural history? What about archaeology, environmental history etc? What about "professionals" that agencies deem as "qualified"

Comment [23]: https://www.morriscountynj.gov/files/sharedassets/public/v/1/departments/planning-amp-preservation-historic/2022-nps_professional-qualifications-standards.pdf

Comment [24]: See comment at beginning of document regarding this.

Comment [25]: I might have missed it. Thanks Alycia!

Comment [26]: It may be a good idea to not have the appendix and the entire code section chapter, since the code can and will be amended in the near future. Maybe just cite the chapter and direct them to the county website to find the most recent version of the code.

Comment [27]: Sounds good.

Comment [28]: Just a suggestion as you go through and clean up the document for a final version, it would probably be a good idea to add page numbers to the final document where it shows pg X of X, so it is easy to see how many total pages there are and which page you are on. Also it would be a good idea to add on the bottom of the last page "Adopted November 18, 2024" and then each time we amend it we can add underneath it "Amended Month, day, year" so it is very easy to follow the history of the document

Comment [29]: Those are great insights! I always appreciate them.

Comment [30]: @aluke@uintah.utah.gov as you go through and accept the changes on the actual bylaws and clean up the document, please leave the notes/edits/comments as is under this section so I can capture the suggested changes for the ordinance that will need to be approved by the county commission. Thank you!

Comment [31]: Awesome, will do. Thank you!

lying within their respective jurisdictions as provided in this chapter. Counties, cities and towns are empowered to expend public funds for the purpose of identifying, preserving, protecting or enhancing historical areas and sites as provided in this chapter.

(Ord. No. 07-08-2024, O1, § I, 7-8-2024)

2.25.020 Historic preservation and museum advisory board established.

A. There is hereby established the Uintah County Historic Preservation and Heritage Museum Advisory Board, which shall consist of not less than five and not more than seven members.

B. No more than one member of the board may be a county commissioner. The other directors shall be chosen from the citizens of the county.

C. All board members shall be appointed by the county commission. Appointments to the board shall be made before the first day of July of each year in which an appointment is necessary, except for the first year. The goal of maintaining regional diversity of the board should be considered with each application for a prospective board member.

D. All board members must have a demonstrated interest, knowledge, or experience in the fields related to historic preservation.

E. To the extent available in the community, at least two (2) members of the board shall be professionals in fields related to historic preservation (i.e., history, architectural history, archaeology, historic architecture, or planning).

F. Except for the first board, members shall be appointed to serve for three-year terms, or until their successors are appointed, and shall not serve more than three consecutive full terms.

G. Terms of board members shall be staggered so that approximately one-third of the board is appointed each year.

H. Vacancies created by resignation, death, removal, or otherwise shall be filled for the duration of the unexpired term in the manner set forth in the organization's bylaws.

I. The county commission may remove any director for misconduct or neglect of duty.

(Ord. No. 07-08-2024, O1, § I, 7-8-2024)

2.25.030 Repeal of Chapters 2.24 Historic Preservation Commission, and 2.30 Museum Board.

Comment [32]: Do we want this in January too since terms are up in December???

Comment [33]: Yes, this is something Commissioner Norton had mentioned that we would want to change to match up with the by-laws.

Comment [34]: Sweet!

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Comment [35]: I think this should be in the ordinance, not just the bylaws.

Chapter 2.24 Historic Preservation Commission is repealed. Chapter 2.30 Museum Board is repealed.

(Ord. No. 07-08-2024, O1, § I, 7-8-2024)

2.25.040 By-laws and officers.

A. The board shall adopt by-laws for managing the business and affairs of the board.

B. The officers of the association shall be a chairperson, vice-chairperson and secretary, and such other officers, if any, as the directors may from time to time determine.

(Ord. No. 07-08-2024, O1, § I, 7-8-2024)

Comment [36]: Thoughts on adding a vice chair, treasurer, web master, site stewardship liaison, volunteer coordinator etc...

Comment [37]: Perhaps we could assign some of these responsibilities to specific board members?

Comment [38]: Do we want this in the ordinance, or do we want to leave it open-ended under the "such other officers" section for the board's discretion from time to time?

2.25.050 Meetings.

A. The board shall schedule regular meetings as it deems necessary and appropriate to conduct its business but shall have no fewer than four regular meetings during a calendar year.

B. A quorum shall consist of a majority of the board.

C. Special meetings may be called at any time by the board provided notice thereof is given to the public and all directors at least twenty-four hours in advance.

D. Meetings shall comply with all requirements of state law including, but not limited to, the Utah Open and Public Meetings Act.

E. If the board member who is a member of the county commission is unable to attend any board meeting, an alternate to act in that commissioner's place may be designated and the alternate shall count as a board director for purposes of meeting a quorum and shall be allowed to vote on any issue.

F. Records of all board meetings shall be kept, managed, classified, and disclosed as required by county ordinance and state law, including, but not limited to, the Government Records Access and Management Act. Copies of official minutes of board meetings shall be kept at the museum, in the care of the museum curator.

(Ord. No. 07-08-2024, O1, § I, 7-8-2024)

2.25.060 Committees.

The board shall have the authority to create standing committees and ad hoc committees, for the study and/or investigation of historic preservation and/or museum issues and other museum matters, as determined by the board required.

(Ord. No. 07-08-2024, O1, § I, 7-8-2024)

Comment [39]: See above comment, perhaps this is how we do it?

2.25.070 Responsibilities and duties.

Subject to approval of the county commission and in accordance with county ordinances, policies, and procedure, and in compliance with federal and state law, the board is hereby granted responsibility for:

- A. Recommending Historic Preservation and Museum policies to the Uintah County Commission in cooperation with the museum curator and assigned Uintah County department head(s) for the use, operation, maintenance, and care of the museum, museum facilities, equipment, staff, and other such resources;
- B. Recommend policies for the enforcement of museum rules;
- C. Recommend policies for the selection, acquisition, cataloging, maintenance, and use of the museum collections and information resources;
- D. Submitting all policies to the county attorney for review, prior to adoption, in compliance with federal, state, and county law;
- E. Make recommendations to the county commission about the disposition of museum objects that are not within the scope of the museum's mission or that the museum is otherwise unable to properly store and/or care for;
- F. Prepare or cause to prepare an annual report to the county commission on the activities and status of Historic Preservation within Uintah County
- G. Submit reports as may be required to the various county, state, or federal agencies.
- H. In cooperation with the museum curator, provide budget recommendations to the county commission that will enable the museum to meet its objectives.
- I. Perform such other duties and exercise such other powers as may be specifically assigned or delegated to the board by the county commission.
- J. To the extent possible within the community, two board members shall be professionals, as defined by National Park Service regulations, from the disciplines of history, and architecture or architectural history.

(Ord. No. 07-08-2024, O1, § I, 7-8-2024)

Comment [40]: Specifically, a member with a Graduate degree in history, or architecture/architectural history? What about archaeology, environmental history etc? What about "professionals" that agencies deem as "qualified"

Comment [41]: https://www.morriscountynj.gov/files/sharedassets/public/v/1/departments/planning-amp-preservation-historic/2022-nps_professional-qualifications-standards.pdf

Comment [42]: See comment at beginning of document regarding this.

Comment [43]: I might have missed it. Thanks Alycia!

2.25.080 Review of proposed nominations to the National Register of Historic Places.

The historic preservation and heritage museum advisory board shall review and comment to the State Historic Preservation Officer on all proposed National Register nominations for properties within the boundaries of the community. When the historic preservation commission considers a National Register nomination which is normally evaluated by professionals in a specific discipline and that discipline is not represented on the advisory board, the advisory board will seek expertise in this area before rendering its decision.

(Ord. No. 07-08-2024, O1, § I, 7-8-2024)

Comment [44]: If we're keeping this phrase, then add heritage, if we're deleting, then don't worry about it. :)

Comment [45]: Suggest deleting and simply stating (the Board)

2.25.090 Advisory capacity.

A. The historic preservation and museum advisory board shall act in an advisory role to other officials and departments of government regarding the identification and protection of local historic and archeological resources.

Comment [46]: See above comment. Suggest that this be changed to deleted and changed to "Board"

B. The historic preservation and museum advisory board shall work toward the continuing education of citizens regarding historic preservation and the county's communities history.

Comment [47]: See above comment. Suggest that this be changed to deleted and changed to "Board"

Comment [48]: Is "communities" meant to be plural?

Comment [49]: probably not.

(Ord. No. 07-08-2024, O1, § I, 7-8-2024)

2.25.100 Duties and responsibilities of the museum curator.

The Uintah County Commission will designate a department head with general responsibility for the museum. This department head shall will assign such staff as is possible and required within budget constraints. The department head shall will assign a museum curator to coordinate activities with the museum board.

Comment [50]: Confusing as written. This role seems specific to museum functions, not Board functions.

The museum curator shall:

- A. Serve as staff to the board, without voting privileges;
- B. Serve as the administrative officer of the county museum system, within a department of Uintah County, in accordance with and subject to the requirements of county ordinances, policies, and procedure;
- C. Perform such other duties delegated to the museum as established in the official job description or as may be assigned by the county commission or the museum board; and
- D. Serves as merit employee of the county.

~~E. Keep and provide public access to minutes of the board.~~

FF. Lead the development of strategic planning for the Heritage Museum.

(Ord. No. 07-08-2024, O1, § I, 7-8-2024)