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**RESOLUTION NO. 2004-33**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF LA PLATA COUNTY, COLORADO, CREATING AN HISTORIC  
PRESERVATION REVIEW COMMISSION AND PROVIDING  
FOR THE DESIGNATION OF LOCAL HISTORIC SITES WITHIN THE  
BOUNDARIES OF LA PLATA COUNTY**

**WHEREAS**, § 30-11-107(bb), of the Colorado Revised Statutes empowers the Board of County Commissioners to provide for the preservation of the cultural, historic, and architectural history within the County; and

**WHEREAS**, the Board of County Commissioners of La Plata County desires to establish a procedure for the designation of appropriate historic sites as Historic Landmarks or Historic Districts, recognizing such a designation to be an integral part of the preservation of cultural, historic and architectural history within the County; and

**WHEREAS**, the Board of County Commissioners of La Plata County has conducted a public hearing on the proposal on November 15, 2004; and

**WHEREAS**, based upon the evidence and testimony presented at the public hearing, the Board of County Commissioners of La Plata County hereby finds that it is desirable to create an Historic Preservation Review Commission and to establish a procedure for the Designation of Local Historic Districts and Landmarks;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF  
COUNTY COMMISSIONERS OF LA PLATA COUNTY, COLORADO:**

**Section 1. Creation of the La Plata County Historic Preservation Review  
Commission.**

- A. There is hereby created the La Plata County Historic Preservation Review Commission ("Historic Preservation Review Commission"), to be comprised of three (3) members appointed by, and serving at the pleasure of, the La Plata County Board of County Commissioners.
- B. All members must be residents of La Plata County Colorado and shall have reached the age of 18 years on the effective date of their appointment. Each member shall also have expertise/experience in historic preservation.
- C. The Board of County Commissioners hereby appoints the individuals listed below, all of whom have hereby agreed to accept such appointment, to be the initial members of the Historic Preservation Review Commission, and

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to initially serve on the Commission for the term indicated. At the expiration of each initial term of office below, such individual or such individual's successor shall then serve for a term of three years and until their reappointment or until their respective successor has been appointed. A member may be reappointed for successive terms. A member shall hold office until his or her successor has been appointed. Vacancies shall be filled by special appointment made by the La Plata County Board of County Commissioners. Such appointment shall be to fill the unexpired term of the vacant member's seat.

- D. The objectives, duties and purpose of the Historic Preservation Review Commission are to:
1. Review requests for designation of historic landmarks and historic districts; and
  2. Make recommendations to the La Plata County Board of County Commissioners with respect to the preservation of cultural, historic, and/or architectural history within the boundaries of La Plata County and any requests for designation of historic landmarks and historic districts.
- E. Two (2) members shall constitute a quorum for the transaction of business by the Historic Preservation Review Commission. Action of the Historic Preservation Review Commission shall be by majority vote of those voting. A tie vote shall not constitute affirmative action by the Historic Preservation Review Commission. The Historic Preservation Review Commission may call upon the La Plata County Attorney for such legal services as it may require.
- F. The Historic Preservation Commission members shall elect from their membership a chair, vice-chair, and any other officers they deem appropriate for the accomplishment of their task. Meetings of the Historic Preservation Commission shall be open to the public and conducted in accordance with the Colorado open meetings law (C.R.S. 24-6-402). Notices and agendas of public meetings of the Historic Preservation Commission shall be posted at the La Plata County Courthouse located at 1060 East Second Avenue, Durango, Colorado. The Historic Preservation Commission shall meet as often as necessary to fulfill its responsibilities.
- G. The Historic Preservation Commission shall remain in existence until the Board of County Commissioners determines that its purpose and objectives have been fulfilled.

- H. The initial members of the Historic Preservation Review Commission are as follows:

| <b>Name of Commissioner</b> | <b>Initial Term</b>                  |
|-----------------------------|--------------------------------------|
| R. Michael Bell             | November 22, 2004 – January 31, 2006 |
| Andrew Gulliford            | November 22, 2004 – January 31, 2007 |
| Duane Smith                 | November 22, 2004 – January 31, 2008 |

**Section 2. Designation of Historic Landmark or Historic District.**

- A. The procedure for requesting Historic Landmark or Historic District designation, along with the forms for such designation, shall be as determined by the La Plata County Community Development Department subject to recommendation by the La Plata County Historic Preservation Review Commission and approval by the La Plata County Board of Commissioners;
- B. Any person or entity seeking Historic Landmark or Historic District designation for any land, facility or structure within the boundaries of unincorporated La Plata County must submit the request on the required form, along with all required documentation, to the La Plata County Community Development Department who shall then, upon completion of their review, forward the request to the La Plata County Historic Preservation Review Board for a recommendation.
- C. Upon receipt of a recommendation from the La Plata County Historic Preservation Review Board, the Board of County Commissioners shall, within 30 days at a regularly scheduled meeting, make a determination regarding the request for historic designation. Should such determination be in favor of historic designation, the Board of County Commissioners shall officially proclaim such designation by County Resolution.
- D. The La Plata County Board of County Commissioners shall establish the LA PLATA COUNTY HISTORIC REGISTER, which shall be maintained in the office of the County Clerk and Recorder, and the County Community Development Department, in files titled, "LA PLATA COUNTY HISTORIC REGISTER."

This resolution shall be effective immediately upon adoption and shall supersede any and all prior resolutions or motions inconsistent with this resolution.