

Historic Preservation Board

Pinellas County, Florida

RULES OF PROCEDURE

Adopted on August 21, 2013

Revision as of December 17, 2014

I. Introduction

The Pinellas County Historic Preservation Board (HPB) is responsible for implementing the provisions contained in the Pinellas County Code Section 146. The HPB is composed of nine (9) regular members and two (2) alternates. At least five voting members of the HPB must be present to have a quorum.

II. Officers

- A. The officers of the HPB shall be Chairperson, a Vice-Chairperson, and such other officers as the HPB may determine to be necessary. The officers (except the Chairperson) shall be nominated and elected annually by members of the HPB.

III. Duties of Officers

- A. The Chairperson shall preside at meetings of the HPB and is an ex-officio, non-voting member on all matters coming before the HPB.
- B. The Vice-Chairperson shall perform all the duties and assume all the responsibilities of the Chairperson in the Chairperson's absence.

IV. Meeting Records and Minutes

Staff from the Pinellas County Planning Department will be responsible for recording of minutes, keeping files and records of the HPB, and administering the oath to witnesses, and accepting papers required by law or ordinance to be filed with the County. The Planning Department shall be the official records custodian for all records of the HPB.

V. Meetings and Attendance

- A. All regular and workshop meetings including committee meetings shall be open to the public.
- B. The HPB may, at any time, choose to have public hearings or special meetings on days, times or locations other than the regularly scheduled meeting within the County, provided that not less than 48 hours notification shall be given to the members and to the public.
- C. Members who are unable to attend a meeting of the HPB should notify the Planning Department in advance of the meeting.

VI. Order of Business

- A. At each regular meeting, when applicable, the order of business shall be:
1. Call to order
 2. Approval of Minutes
 3. Swearing-in of witnesses for all quasi-judicial matters
 4. Historic designation applications
 5. Certificate Of Appropriateness applications
 6. Review of Historic Property Tax Exemption applications
 7. Appeal agenda
 8. Historic Preservation Program
 9. Other business
 10. Next meeting date
 11. Adjournment
- B. The order of business may be changed by the Chairperson or by a majority of the members present and voting.
- C. Decorum. All board members and members of the public shall be respectful of others' opinions, and refrain from making personal attacks. Any person who becomes disorderly or who fails to confine remarks to the identified subject or business at hand shall be cautioned by the Chairman and given the opportunity to conclude remarks on the subject in a decorous manner and within the designated time limit. Any person failing to comply as cautioned may be barred from making any additional comments during the meeting by the Chairman, unless permission to continue or again address the Historic Preservation Board is granted by a majority of the members present. Clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be discouraged.

VII. Voting

Each voting member who is present shall vote on each motion and may not abstain except in case of a voting conflict. In the event of a voting conflict, the member shall announce his or her conflict, shall refrain from participating and voting in the matter, and shall file a voting conflict disclosure form with the Planning Department. With regard to applications involving members, no HPB member shall participate in a decision making process if there is a conflict between his/her official duties as a member of the HPB and his/her private interests. Members of the HPB shall comply with State of Florida Statutes, Section 112.3143.

VIII. Committees

The HPB may establish such committees as are necessary to carry out its purposes. The Chairperson shall appoint the members of committees.

IX. Amendments to Rules of Procedure

- A. Any member of HPB may propose amendments to the Rules of Procedure. Each HPB member shall be furnished a copy of the proposed amendments at least 5 days prior to any vote by the HPB on the proposed amendments.
- B. The affirmative vote of a majority of the members present shall be deemed sufficient to adopt any amendment to the Rules of Procedure, provided that a quorum is present and further provided that other provisions of these Rules have been complied with.

X. Evidence and Documents

- A. All testimony will be under oath. Before taking an oath, a completed form must be turned into Planning staff prior to the application being called. Forms are available at each meeting.
- B. The hearing procedure will be as follows:
 - 1. The staff will announce the application and make a report as deemed appropriate.
 - 2. When applicant name is announced, the applicant will present his/her application.
 - 3. The proponents will be heard first.
 - 4. Opponents will be heard next.
 - 5. The applicant will be given a rebuttal period to respond to questions or concerns raised by other speakers or the HPB. No new information may be presented at this time – only rebuttal.
 - 6. After completion of each presentation by the staff, applicant, supporters or opponents, any party may ask questions of, or seek clarification from, another party or staff by request through the Chairman.
 - 7. The staff sums up the case and answers any further questions.
 - 8. The public hearing will then be closed and a decision rendered by the HPB.
 - 9. To the extent necessary, the Chairperson of the HPB may vary the order of the hearing of an application in order to more efficiently address such an application.
 - 10. The following timeframe is to be followed during public hearings:

- a) Applicant has a total of twenty (20) minutes to present his/her application, including time allowed for closing statements.
- b) Any opponent or proponent of the application has three (3) minutes to speak on the application.
- c) Any person representing five (5) or more persons who are present at the public hearing has ten (10) minutes to speak on the application.

C. The HPB, by a vote of a majority of its voting members present, may accept an affidavit in lieu of the testimony of the witness if the witness gives three (3) days advance written notice to the Historic Preservation Board, c/o Pinellas County Planning Department, 310 Court Street, Clearwater, Florida 33756, that he/she will be absent from the County on the hearing date.

XI. Conflict

A. These rules are intended to effectuate and implement the provisions of Section 146 of the Pinellas County Code pertaining to the HPB and its authority. To the extent of any conflict, the provisions of the Code shall govern.

XII. Florida Sunshine Law

A. All members of the HPB shall comply with the provisions of public meetings contained in the Florida Sunshine Law, Florida Statutes, Chapter 286.