



GEORGETOWN/SILVER PLUME HISTORIC LANDMARK DISTRICT PUBLIC LANDS COMMISSION

BYLAWS

ARTICLE I

NAME

The name of this Commission is the Historic District Public Lands Commission ("HDPLC").

ARTICLE II

MEMBERS

Section 1. Membership. The Commission shall consist of one voting member from each of the following: landowners who manage their lands for public use:

SIGNATORY MEMBERS: CLEAR CREEK COUNTY
COLORADO DIVISION OF WILDLIFE
COLORADO HISTORICAL SOCIETY
HISTORIC GEORGETOWN, INC. FKA GEORGETOWN HISTORICAL SOCIETY
TOWN OF GEORGETOWN
TOWN OF SILVER PLUME
UNITED STATES FOREST SERVICE

One delegate and one alternate shall be appointed by the respective governing bodies as may be necessary, the same shall be replaced by the governing body or board of the represented party in the event of a vacancy.

The Commission shall also include one or more non-voting members from the each of the following political and private entities:

ADVISORY MEMBER: CLEAR CREEK GILPIN METAL MINERS ASSOCIATION

CONSULTING AGENCIES: BUREAU OF LAND MANAGEMENT
COLORADO FOREST SERVICE
COLORADO DIVISION OF PARKS & OUTDOOR RECREATION

Section 2. Voting Rights. Each Signatory Member shall be entitled to cast one vote.

Section 3. Roll of Members. The Secretary shall maintain a list, to the best of his or her ability, of all members.

Section 4. Transfer of Membership. Membership in the Commission is not transferable or assignable.

ARTICLE III

PURPOSE

As set forth in the Cooperative Management Agreement, the purpose of the Commission is to establish cooperative, unified and coordinated planning of designs and implementation and development of recreational, preservation and educational uses within the subject property. "Subject property" is defined as certain parcels of land received by Clear Creek County, the Town of Georgetown, the Town of Silver Plume and the Colorado Historical Society for Recreation and Public Purposes Patents ("Patents") from the Bureau of Land Management ("BLM") and Patents to certain parcels of land, held by Historic Georgetown, Inc. formerly known as the Georgetown Society, Inc., which have been conveyed to it by third parties. These parcels of land are located within and adjacent to the Georgetown/Silver Plume National Historic Landmark District and Saxon Mountain Study Areas as described in Exhibit "A" of the Cooperative Management Agreement of the Commission but which specifically exclude (i) lands within the boundaries of any municipality, (ii) the "Mining and Railroad Operations Area" of the Georgetown Loop Mining and Railroad Park, and (iii) any lands requested by the Towns to protect watersheds. It will be the responsibility of each party to consider implementation of the plans developed by the commission in light of each party's budget and capital improvement capabilities.

Section 1. Short-Range Objectives. The immediate objectives of the Commission shall include, but not be limited to:



(a) The identification of historic roadbeds, paths or ways within the subject property which have or could serve as single or multiple use trails.

(b) An analysis of existing conditions of the roadways, paths and ways, and recommended improvements and maintenance of the beds and ways.

© Consultation with appropriate federal, state and local agencies, including but not limited to the United States Forest Service, the Colorado Division of Wildlife, the Colorado State Forest Service and Colorado Department of Parks and Outdoor Recreation, to identify concerns and needs regarding the subject property.

(d) Preparation of a uniform signing plan for the subject property.

(e) Preparation of plans and budgets detailing the requirement for the recreational, preservation and educational uses of the subject property for consideration, and possible funding and implementation by the parties.

(f) Development of additional short-range objectives.

Section 2. - Long-Range Objectives. The long-range objectives of the commission shall include, but not be limited to:

(a) Inventorying historic and natural assets which exist within the subject property.

(b) Reviewing existing facilities within the subject property in relation to planning and implementing low impact activities.

© Preparing a long-range plan for developing the recreation, preservation and education potential of the subject property and interpreting its natural and historic features.

(d) Consulting with appropriate federal, state and local agencies for advice on plans, recommendations and inventories prepared by the Commission.

(e) Developing additional long-range objectives.

ARTICLE IV

AUTHORITY

Per Public Law 103-253 - Section 4, b1 - "The lands transferred under this section shall be managed in accordance with the cooperative management agreement among the Colorado Division of Wildlife, the Colorado State Historical Society, the Town of Silver Plume, the Town of Georgetown, and the County of Clear Creek, which is dated January 1989; the stipulations related to the preservation of artifacts contained in the Bureau of Land Management's cultural resource survey pertaining to such lands; and the terms of the applications filed with the Secretary for the disposal of such lands under the Act of June 14, 1926 (43 U.S.C. 869 et seq.; hereafter in this Act referred to as the "Recreation and Public Purposes Act"), except that other uses of the lands may be made with the approval of the Secretary."

Per "Cooperative Management Agreement", approved on 1/3/1989.

While authority, responsibility and liability for individual parcels of land included within a Patent remain with the individual title holders, the Commission, to the extent not inconsistent therewith, shall have the following responsibilities:

A. Authority to elect such officers and adopt such bylaws as are necessary and convenient to carry out the purposes of the Commission.

B. Within the subject property to:

1. Develop short- and long-range plans for recreational, preservation and educational uses;
2. Develop a maintenance plan for existing resources, facilities, ways and features;
3. Conduct an annual review of the conditions of resources, facilities, ways and features; and
4. Perform any other responsibility inherent in the previously stated short- and long-range objectives.

C. Develop funding recommendations for implementation of the Commission's plans, recommendations and proposals.

D. The implementation of plans, recommendations and proposals pertinent to a specific parcel shall be made at the option of the individual holder of the title on that parcel.

1. The Commission shall provide to each of the parties a copy of the Commission's plans, recommendations, annual reviews, and funding proposals for review and possible implementation;
2. The governing body or board of each of the parties shall review the same and respond in writing to the Commission with any comments, questions, suggested changes or acceptance;
3. The Commission shall make every reasonable effort to accommodate the concerns of the parties in developing the plans, recommendations and proposals.
4. Each party agrees that while implementation of plans, recommendations and proposals concerning the subject property by the parties is voluntary, it has entered into the agreement in good faith and desires to achieve the goal of cooperative use and management of the subject property in order to develop its recreational, historical, preservation and educational potential.

E. Coordinate implementation of projects funded by the parties.

F. Review all use proposals affecting the subject property and make recommendations to the parties. In doing so, the Commission should give due cognizance to the management issues identified within the BLM record of decision of September 1986 and to the applicable conditions and recommendations contained in the master plans of Clear Creek County.

ARTICLE V

MEETINGS

Section 1. Regular Meetings. The Commission shall establish a meeting schedule at its discretion but shall meet at least quarterly.

Section 2. Mailing of Notice. In advance of each meeting, the Commission shall provide all parties with written notification stating the time and place of the meeting and including an agenda listing all items to be acted upon at the meeting. For the purposes of these Bylaws, "notice" means a written notification of a meeting (a) stating the place, a day and hour of the meeting and in the case of a special meeting, the purpose for which the meeting is called; (b) properly addressed according to the last available records of the Commission; (c) sent or delivered by a duly authorized person to each member entitled to vote at the meeting; and (d) delivered or mailed not less than ten days before the meeting. "Written" includes printed, handwritten, typewritten, engraved, lithographed, telegraphed, cabled, radiogrammed, photographed, photostated, telephotographed, and other forms of recordation.

Section 3. Special Meetings. Special meetings may be called by or at the request of the Chairperson or any four (4) of the Signatory Members of the Commission. A member may make written waiver of any notice required to be given under the provision of the Bylaws of the Commission, before, at or after a meeting. The waiver shall be filed with the person designed to act as secretary of the meeting who shall enter it upon the records of the meeting. Appearance at the meeting is deemed a waiver unless it is solely for the purpose of asserting the illegality of the meeting.

Section 4. Quorum. A majority of the non-vacant seats of the Signatory Members of the Commission shall constitute a Quorum for the transaction of business at any scheduled meeting of the Commission, provided, that if less than a majority of the Signatory Members is present at such meeting, a majority of the Signatory Members present may adjourn the meeting from time to time without further notice.

Section 5. Minutes. The Commission shall maintain a record of its proceedings, and a copy of these will be kept on file in the offices of Clear Creek County.

ARTICLE VI

MANNER OF ACTING

The act of the majority of the Signatory Members present at a meeting at which a quorum is present shall be the act of the Commission. The Commission may also act through consent minutes without a meeting, provided the minutes are signed by a majority of the Signatory Members and including the Chairperson. Voting members may be represented by proxy except in election of officers; such election may be conducted by mail in such manner as the Commission shall determine.



ARTICLE VII

OFFICERS

Section 1. Officers. The Commission shall elect a Chairperson a treasurer, and appoint a secretary.

Section 2. Election and Term of Office. The officers of the Commission shall be elected annually by the Signatory Members. Each officer shall hold office until his successor shall have been duly elected.

Section 3. Removal. Any officer elected or appointed by the Signatory Members may be removed by the Signatory Members whenever in its judgement the best interests of the Commission would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the officer so removed.

Section 4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise may be filled by the Signatory Members for the unexpired portion of the term.

Section 5. Chairperson. The Chairperson shall preside at all meetings of the Commission. He or she shall have the general supervision, direction, and active management of the affairs and business of the Commission, subject to the Commission. He or she shall see that all orders and resolutions of the Commission are carried into effect. He or she shall perform such additional duties as may be prescribed from time to time by the Commission or by the Bylaws.

Section 6. Secretary. The appointed secretary shall keep a correct and complete record of all the proceedings of the Commission and shall safely and systematically keep all books, records and papers belonging to the Commission or in any way pertaining to the business thereof. He or she shall attend to the giving and serving of all notices of meetings of the Commission. He or she shall in general perform all the duties which are incident to the office of Secretary of the Commission, subject to the Commission. He or she shall perform such additional duties as may be prescribed from time to time by the Commission or by the Bylaws.

Section 7. Treasurer. The Treasurer shall keep a correct and complete record of all financial transactions. Quarterly and year-end financial reports shall be presented at regular meetings for approval by Signatory Members. Membership dues in addition to any miscellaneous revenues shall be submitted to the Clear Creek County Office of Administration for prompt deposit at the board's designated depository by the Treasurer.

Section 8. Delegation of Duties. In case of the absence or inability to act of any officers of the Commission, the Signatory Members may delegate for the time being the duties of such officer to any other Signatory Member, except that the offices and/or powers of the Chairperson and the Treasurer shall not be held or exercised by one person at the same time.

Section 9. Execution of Documents. All written instruments and legal documents shall be signed by the Chairperson.

ARTICLE X

AMENDMENTS

The Bylaws may be altered, amended or repealed at any meeting of the Commission upon receiving the affirmative vote of a majority of all of the Signatory Members.

CERTIFICATE

I hereby certify, that the foregoing Bylaws, consisting of five (5) pages, including this page, constitute the Bylaws of the Historic District Public Lands Commission adopted by the Signatory Members as of the 22nd day of February, 1996.


Crystal Miller, Secretary
Historic District Public Lands Commission