

By-Laws

Benton County Historical Preservation Commission

Amended March 10, 2022

Article I. Authorization

The Benton County Historical Preservation Commission (BCHPC) was established in 2005 by the Benton County Quorum Court through Ordinance no. 0-2005-34

Article II. Purpose

The purpose of the BCHPC shall be to identify, seek to preserve, protect, and promote the historical sites, artifacts, and other antiquities throughout Benton County. The Commission shall strive to cooperate and work in harmony with all federal, state, and local historical organizations in order to achieve maximum benefit for the public. The Commission is authorized to accept donations of and to acquire by purchase or gift real and personal property comprehending historical sites, artifacts, and other antiquities of historical and cultural interest, and is authorized to seek both public and private funding for these purposes.

Article III. Membership

Section 1. The BCHPC shall consist of five (5) members appointed by the Benton County Judge and confirmed by the Quorum Court.

Section 2. The term of each Commission member shall be five (5) years. However, in the initial appointment of the Commission, there shall be the appointment of one (1) member for one (1) year, one (1) member for a two (2) year term, one (1) member for a three (3) year term, one (1) member for a four (4) year term, and the remaining member for a five (5) year term.

Section 3. No Commission member shall be appointed for more than two (2) consecutive terms.

Section 4. Commission members are required to be qualified electors of Benton County and shall subscribe to the oath of office within ten (10) days from the date of appointment. Evidence of oath of office shall be filed with the County Clerk. Failure to subscribe the oath shall be deemed to constitute rejection of the office, and the County Judge shall appoint a Commission member to fill the vacancy.

Section 5. No member of the Quorum Court shall serve as a Commissioner.

Section 6. A Commissioner may be removed for cause in accordance with the procedures outlined in state law. Any Commissioner who is absent from three (3) or more consecutive scheduled meetings may be removed based on nonattendance.

Section 7. No Commissioner shall be interested, either directly or indirectly, in any contract made with the Commission.

Article IV. Officers

Section 1. The BCHPC shall have a Chair, Vice Chair, Secretary and Treasurer. Officers shall serve for one (1) year, and may succeed themselves in office, but shall not serve in the same office for more than three (3) consecutive years. A quorum for the transaction of business shall be three (3) Commissioners.

Section 2. The Chair shall preside at all meetings of the BCHPC. The Chair shall have the power to appoint committees and designate committee Chairs, call special meetings and, when authorized by the Commission, sign documents on behalf of the Commission, and to perform other duties as ordered by the Commission.

Section 3. The Vice Chair shall preside at all meetings and assume all duties and powers of the Chair in the absence of the Chair. In the absence of both the Chair and Vice Chair at any meeting, the longest serving Commission member shall act as Chair.

Section 4. The Secretary shall keep the official minutes of each meeting and shall distribute copies to the Commission members. In the absence of the Secretary, the Chair shall appoint a Commissioner to serve as temporary secretary.

Section 5. The Treasurer will work with the County staff as needed to keep track of all funds under the control of the Commission, and to keep the Commission in compliance with all relevant county purchasing and budgeting requirements. At each regular Commission meeting the Treasurer will be prepared to report on income, expenditures, and the remaining balances in Commission accounts.

Article V. Meetings

Section 1. All meetings and records of meetings shall be open to the general public in compliance with the relevant Freedom of Information regulations.

Section 2. If any member shall have a direct personal interest in any business before the Commission, such member shall disclose the interest to the Commission and be disqualified from voting upon the business.

Section 3. The Commission may during any meeting sit in executive or private session. No official business shall be transacted during such session except privileged matters relating to personnel hired by the Commission.

Article VI. Property

All donations, gifts, grants or purchases of personal or real property by the commission shall become the property of Benton County for the use and benefit of the citizens of Benton County and the enjoyment of the public generally and be titled in the name of "Benton County, Arkansas, for the Use and Benefit of Historic Preservation."

Article VII. Amendments

These by-laws may be amended or repealed by an affirmative vote of not less than three (3) members of the Commission. a proposed amendment or a motion to repeal shall first be presented in writing at a regular meeting and placed on the agenda of a subsequent regular meeting for action, unless ten (10) days written notice has been given to all Commissioners, in which case action may be taken at any regular or called meeting.

Article VIII. Email Procedures

In order to promote and maintain transparency, all email correspondence between Commissioners, will be sent to all Commissioners. This includes, but not limited to, correspondence and research requests from or referred by Commissioners.