

OYSTER RIVER LOCAL ADVISORY COMMITTEE

BY-LAWS

Article I NAME

- A. The name of this voluntary organization shall be the Oyster River Local Advisory Committee, hereinafter referred to as the Committee.

Article II AUTHORIZATION and DUTIES

- A. The authorization for the establishment of the Committee and its duties are set forth under New Hampshire RSA Chapter 483 and amendments thereto.
- B. The Committee shall:
 - 1. Advise the Commissioner of the New Hampshire Department of Environmental Services (commissioner), the Rivers Management Advisory Committee (RMAC), and the municipalities, through which the Oyster River flows, on matters pertaining to the management of the Oyster River.
 - 2. Consider and comment on any federal, state, or local governmental plans to approve, license, fund, or construct facilities or other activities that would alter the resource values and characteristics of the Oyster River.
 - 3. Develop or assist in the development and adoption of a local river corridor management plan pursuant to RSA 483:10. No such plan shall have any regulatory effect unless implemented through properly adopted ordinances.
 - 4. Report annually to the RMAC, the commissioner, and the local governing bodies on the status of compliance with federal and state laws and regulation, local ordinances, plans, and community education and outreach services relevant to the Oyster River and its corridor.
- C. The Committee may apply for and accept, from any source, gifts, grants, and other donations of money. The Committee may, without further authorization, expend any funds so received to carry out its duty pursuant to RSA 483:8-a. Monies will be accepted only by majority vote of the Committee.

Article III MEMBERSHIP

- A. The commissioner shall appoint the Committee. Committee members shall be chosen from lists of nominees submitted by the local governing bodies of Barrington, Durham, Lee, and Madbury.
- B. The commissioner shall appoint at least one (1) person from each of the municipalities named in Article III-A to the Committee. All members of the Committee shall be New Hampshire residents. In the event of a member's resignation, the commissioner shall appoint a new member upon the nomination of that municipality's governing board.

- C. The Committee shall be composed of at least seven (7) members who represent a broad range of interests in the vicinity of the Oyster River corridor. These interests shall include, but not be limited to, local government, business, conservation interests, recreation, agriculture, and riparian landowners. If an interest is not represented by the local governing bodies' nominations, the commissioner may appoint a member from the vicinity of the Oyster River corridor to the Committee who will represent that interest.
- D. Each member shall serve a term of three (3) years.
- E. Associate members may be appointed to the Committee annually by majority vote of full Committee members. Associate members are non-voting members of the Committee, but may engage in all remaining regular activities of the Committee. Associate membership is open to the residents of all towns within the Oyster River Watershed.

Article IV OFFICERS

- A. The officers of the Committee shall consist of a Chairperson, Vice-Chairperson, Secretary, and Treasurer.
- B. The Chairperson shall preside at all meetings and hearings of the Committee and the Chairperson or her/his designee shall have the authority to represent the Committee as required before local, state, and federal governments, and public and private agencies in carrying out the duties of the Committee. The Chairperson has the authority to establish special and/or sub-committees.
- C. The Vice-Chairperson shall act for the Chairperson in his/her absence and assume such other duties as may be assigned by the Chairperson or the Committee.
- D. The Secretary shall keep a record of all meeting notices, minutes, correspondence, member attendance and assume such other duties as may be assigned by the Chairperson or the Committee.
- E. The Treasurer shall receive and make payments as authorized by the Committee, maintain and reconcile bank accounts, report on all financial activity to the Committee at the regular monthly meeting, submit an annual report of all financial activity to the Committee, and transact any and all other necessary financial business as authorized by the Committee.

Article V ELECTION OF OFFICERS

- A. Officers shall be elected annually in February of each year. A candidate receiving a majority vote of the members present shall be declared elected and shall serve for one year. Vacancies in office shall be filled immediately at the next meeting by a majority vote of the members in attendance.

Article VI **VOTING POWERS**

- A. Each member shall be entitled to one (1) vote and each member must be present to vote.
- B. Business may be conducted with any number of members present; but, should a simple quorum not be present, all business requiring a vote shall be deferred until the next regular scheduled meeting.
- C. A quorum is defined as half of the current active membership.
- D. Determinations of any matter before the Committee shall require a majority vote of those voting.

Article VII **MEETINGS**

- A. All meetings shall be open to the public. Notice of all meetings shall be posted in an agreed upon location in each of the riverfront towns named in Article III-A at least 24 hours in advance and in accordance with all applicable local, state, and federal laws.
- B. Regular meetings of the Committee will be held monthly or as agreed upon at a prior meeting.
- C. Regular meetings of the Committee will normally be held at locations rotated among the municipalities represented by the membership of the Committee, or at any other site as decided at the prior meeting.
- D. Special meetings of the Committee may be called by the Chairperson provided that at least four (4) business days' notice of the time, place, and business of such meetings is given to each member.
- E. Robert's Rules of Order will govern the proceedings at the meetings when necessary as determined by the Chairperson.
- F. Approved minutes shall be forwarded to the appropriate municipal boards or commissions for each of the waterfront towns named in Article III-A within six (6) days following the meeting at which they were approved. Unapproved copies of the minutes from previous meetings shall be forwarded to each member prior to the next meeting. The minutes of previous meetings shall be submitted for approval at the regular meeting and any errors noted and corrections made, after which the regular order of business may be addressed. The reading of the minutes may be dispensed with and approved if there are no objections.
- G. Records shall be kept of member attendance. In the event that any member is absent from four consecutive meetings, the Chairperson may request the commissioner to terminate that membership and make a new appointment to replace that former member.
- H. In the event that an issue comes before the Committee that requires a confidential discussion in a non-public forum among Committee members, the decision to call an executive session may be invoked. Specific purposes of an executive session may

include personnel matters, land negotiations, and legal issues. In order for an executive session to be called, a two-thirds (2/3) majority of Committee members present at the meeting shall vote to exclude all except voting Committee members. During such executive sessions the Committee may discuss the issue under consideration, but may not take action or reach a formal decision on how to proceed. At times of executive session all non-Committee members shall leave the meeting, unless specifically requested to remain by the Committee. The proceedings of an executive session shall comply with RSA 91-A:3.

Article VIII SUPPORT SERVICES

- A. The Committee may enter into agreement for services, funding or other support from municipalities, Strafford Regional Planning Commission, New Hampshire Office of Energy and Planning, New Hampshire Department of Environmental Services, local governments, or other entities as appropriate.
- B. The Committee may request support for its activities equitably from each municipality for in-kind services which shall include, but not be limited to, secretarial services, postal expense, and photocopying.

Article IX AMENDMENTS

- A. These by-laws may be amended at any regular meeting by majority vote provided that such amendment has been presented in writing to the Committee at its previous meeting.