

SECTION III

COMMISSION BYLAWS

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ARTICLE I Name of Organization and Area Served

The name of this organization shall be the Rockingham Planning Commission.

The area served shall be New Hampshire Planning Region Six as delineated by Executive Order No. 82.7, June 16, 1982 and amendments thereto.

ARTICLE II Authorization and Purpose

The Commission shall have and exercise the rights, powers and duties conferred by RSA 36, as amended. The purpose of the Commission is to guide, coordinate and promote the orderly long-range physical, social and economic development of the region in order to preserve and promote health, safety and general welfare of the citizens of the region.

In carrying out its purpose and responsibilities, the Commission shall undertake research and information-gathering activities; prepare, adopt and maintain a comprehensive plan for the region; assist municipalities and counties in implementing regional plans and programs; coordinate functional plans and programs in dealing with State and Federal governments; encourage intergovernmental planning and coordination; linking local, State and Federal governments for effective action; and carry out a public information program to promote widespread public understanding, discussion and participation in regional issues and the solution of regional problems.

History (Adopted 12/30/99)

In 1972, Governor Preston, through Executive Order No. 15, combined the seventeen (17) regions in New Hampshire into six (6) Sub-State Planning Regions. Strafford Regional Planning Commission, (headquartered in Dover); Southern New Hampshire Regional Planning Commission, (headquartered in Exeter); and Southern Rockingham Regional Planning District, (headquartered in Salem) were merged into Sub-State Region Number 6 in order to eliminate duplication and confusion. This action took effect on July 1, 1972.

In March 1974, the town through town meeting vote and cities through action of the City Councils, voted to join the Strafford Regional Planning Commission, the Southern NH Planning Commission, the Southern Rockingham Planning District and the Strafford-Rockingham Regional Council (formed called Sub-State District Six). With this vote, municipalities gained dual membership in both SRPC and the Council, and their representative became members of both organizations.

Executive Order Number 82.7, dated June 16, 1982, merged two of the planning commissions and the regional council into the Rockingham Planning Commission, serving 27 of the 37 Rockingham County municipalities, with the third planning commission becoming an independent entity (the Strafford Regional Planning Commission) to serve a portion of Strafford County.

ARTICLE III Membership

A. Members

The members of the Commission shall consist of the municipalities of New Hampshire Planning Region Six as authorized by the regional planning provision of RSA 36, as amended and which have voted to join the Commission. Members who elect to pay dues in accordance to the dues schedule established by the Commission shall be deemed “dues-paying members” and eligible to vote at Commission Board meetings and to receive agency services and benefits.

Historical Note: The area includes planning regions 15 and 16 as delineated by the State of New Hampshire in 1969. Those planning regions formed the Southern Rockingham Regional Planning District Commission and the Southeastern New Hampshire Regional Planning Commission respectively. They were made a part of Sub-State District Six by Executive Order in 1972. Sub-State District Six entitled itself the separation of the original Region 17, which will again be called The Strafford Regional Planning Commission. The remainder of the municipalities in Sub-State District six, being municipalities of all regions 15 and 16, remain within the Strafford Rockingham Regional Council organization.

The Strafford Rockingham Regional Council, given the absence of the Strafford County municipalities, voted on May 20, 1982, to rename itself the Rockingham Planning Commission. Despite the changes of name and organizational structure, membership is deemed to be continuous from the date of the first municipal vote to join the Regional Planning Commission, most of which votes date from the late 1960s or early 1970s.

B. Representatives

Members shall be represented in accordance with the applicable provision of RSA 36, as amended.

ARTICLE IV Officers

The officers who shall be elected from the voting representatives to the Commission shall consist of a Chairman, Vice-Chairman, Secretary and Treasurer.

The Chairman shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage of such officers. He¹ shall be an ex-officio member of all communities. He shall be Chairman of the Executive Committee.

The Vice-Chairman shall act for the Chairman in his absence and shall succeed the Chairman.

The Secretary shall cause to keep the formal minutes and records of the Commission and with the assistance of such staff as is available, shall prepare the agenda of regular and special meetings to the Commission representatives, arrange proper and legal notice of hearings, attend to correspondence of the Commission and such other duties as are normally carried out by a Secretary.

¹ For purposes of these by-laws, the word “he” is used to indicate either gender.

ARTICLE V Adoption of Bylaws

These bylaws become effective immediately upon adoption by two-thirds of the voting representatives present at a Commission meeting.

ARTICLE VI Amendments

These bylaws may be amended by resolution of the voting representatives of the Commission at any regular or special meeting, provided that the following conditions have been met:

Upon authorization of the Executive Committee or upon the request of the majority of voting representatives, a proposed amendment shall be presented in writing to the Commission representatives at least thirty (30) days prior to the date of the Commission meeting at which they are to be discussed and voted on.

The bylaws shall be amended by an affirmative vote of at least two-thirds of the voting representatives present at the Commission meeting.

The date of approval must be included with any amendments to these bylaws.

ARTICLE VII Meetings

Unless otherwise specified by the Chairman of the Commission, meetings shall be at least every two months. There shall be an annual meeting held within the three months prior to the start of the fiscal year for the purpose of electing Commission officers and at-large members of the Executive Committee. Special meetings shall be held by call of the Chairman or by petition to the Secretary by seven Commissioners on seven days written notice and the purpose of the special meeting as stated in the notice will be the only subject on the agenda.

ARTICLE VIII Hearings

In addition to those required by law, the Commission may hold public hearings when it decides that such hearings will be in the public interest.

Except as required by law, notice of the time and place of such hearings, when on matters of widespread interest, shall be published in at least one newspaper of general circulation of each member in the territorial interest, other notice shall be given in such a manner as is deemed appropriate by the Commission.

ARTICLE IX Committees

A. Executive Committee

The Executive Committee shall consist of the officers of the Commission, four at-large members, each from a different town/city, and the immediate past Chairman. The Commission may elect up to four alternate members for the at-large positions.

The member shall be elected annually. **(Amended 5/13/98)** A quorum shall consist of a majority of the members.

The Executive Committee shall be responsible for acting for the Commission in the interim between regular meetings and shall be at the call of the Chairman. Its authority shall be limited to that granted by the Commission, carrying out the policies of the Commission, acting on personnel problems and changes, taking action on routine monthly financial statements and executing contracts. The Executive Committee shall report all its activities to the Commission at the next regular Commission meeting.

B. Nominating Committee

See Article V, Section I.

C. Personnel Committee

A Personnel Committee shall be established and include the following members of the Commission: the Chairman, Vice-Chairman and Immediate Past Chairman. If one or more of these members is unable or unwilling to serve, the Executive Committee shall appoint a representative to fill the position for the present term. The duties of the Committee shall be to conduct the annual review and make salary recommendations of the Executive Director; to establish and maintain the Personnel policies of the Commission, and to serve as an appeals body for Personnel Policies of the Commission, and to serve as an appeals body for personnel matters that involve appeals by staff to a decision or action taken by the Executive Director.

D. Regional Impact Committee

The Regional Impact Committee shall be a standing committee responsible for carrying out requirements of RSA 36:54 – Developments of Regional Impact. The Committee shall be appointed by the Executive Committee. Upon receipt of notification by a local land use board, the Planning Commission is granted the status of abutter to the review of development proposals, having regional impact. The Committee is convened to review the project and offer comments from a regional perspective.

E. Regional Master Plan Committee

The Master Plan Committee shall be a standing committee of the Commission responsible for overseeing the development and updating of the regional comprehensive master plan, as defined by RSA 369:47. The Committee shall consist of at least three members and be appointed by the Executive Committee. It shall report annually to the Commission.

F. Other Committees

On the recommendation of the Chairman of the Commission, other committees may be established from time to time to serve as advisory committees to the Commission. The membership and the Chairman of the Committee shall be appointed by the Executive Committee.

ARTICLE X **Order of Business**

The order of business at regular meetings shall be at the discretion of the Chairman, and shall ordinarily address the following components:

1. Roll Call
2. Review of minutes of previous meeting and actions thereon
3. Communications
4. Reports of Officers and Committees
5. Old Business
6. New Business
7. Adjournment

Formal minutes shall be kept of all meetings. "Roberts' Rules of Order" may be used if needed at meetings when not in conflict with these bylaws or superseding legislation. Rulings of the Chairman may be overruled by majority vote at any full Commission meeting or committee meeting.

ARTICLE XI **Finances**

The Commission shall adopt policies governing the supervision of the budget, contract obligations and the formula for determining the annual recommended amount of member contributions.

In the event of dissolution of the Commission, assets of the Commission will be distributed among the voting member towns in the same proportion as their financial contributions in the year of dissolution.

ARTICLE XII **Employees**

The Commission shall employ such staff as it may deem necessary for its work and may contract with consultants and public agencies for other services it may require.

Such staff shall be hired on the basis of merit and shall be subject to the Commission's personnel policies, procedures and practices. The personnel policies of the Commission shall conform in all respects to the laws of the State of New Hampshire and the Federal Government as may be required.

The Commission shall appoint an Executive Director, who shall be the Commission's chief administrative officer, to serve at its pleasure. He shall have the following duties which shall be executed within the policies established by the Commission:

- recommend programs, projects, annual budgets and amendments thereto;
- direct, supervise and administer the Commission's adopted work program;
- manage the business affairs of the Commission;
- manage expenditure and commitments within authorized appropriations and allocations;
- ensure administrative compliance with all grants and contracts which may be received;
- maintain proper financial property, personnel and correspondence and other Commission records;

- employ and supervise necessary Commission staff;
- prepare such technical studies and reports to the Commission and member municipalities as the Commission may direct; and
- perform all other duties incident to the position and as may be requested of him by the Commission.

The Executive Director must meet the same criteria as other staff of the Commission. The Executive Committee of the Commission shall have the responsibility for hiring and firing the Executive Director. In the event of a vacancy in the Executive Director position, the following procedures shall generally apply, but may be altered by the Executive Committee as needed: **(Adopted 12/30/99)**

1. In the event of a vacancy, the Assistant Director shall act as the Executive Director until such time as an Acting or Permanent Executive Director is appointed by the Executive Committee and Commission.
2. A Candidate Selection Committee is formed which will include the Chairman, members of the Executive Committee and three (3) other members of the Commission or officials from member municipalities appointed by the Chairman. This Committee may also include professionals in the field of public planning and administration.
3. The Candidate Selectmen Committee shall make an initial review of all applicants to identify those candidates to be invited to appear for an interview.
4. The Commission will reimburse candidates invited to appear for interviews if necessary. Such expenses shall be limited to reasonable transportation expenses, lodging and meals.
5. The Candidate Selection Committee shall interview candidates, rank the candidates and recommend the top three candidates to the Executive Committee. Upon authorization by the full commission, the Executive Committee will finalize an offer to the individual of their choice.

ARTICLE XIII Saving Clause

Any portion of these bylaws found to be contrary to the law shall not invalidate other portions.

(Bylaws were adopted by the Strafford-Rockingham Regional Council on September 19, 1974. On May 20, 1982, the organization voted to rename itself the Rockingham Planning Commission. See page 1, "Historical Note" of these Bylaws).

These bylaws were Adopted by the full Commission on May 5, 1991, and amended 09/14/94; 05/13/98; 12/30/99; and 5/08/02.