

RPC BYLAWS

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**BYLAWS
of the
Rockingham Planning Commission**

ARTICLE I NAME OF ORGANIZATION AND AREA SERVED

Section 1: Regional Planning Commission

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

The area served shall be New Hampshire Planning Sub-State Planning District 6 as delineated by Executive Order No. 82.7, June 16, 1982 and amendments thereto made in 2012 and 2016. (See Historical Notes Addendum). As presently established, Sub-state Planning District 6 consists of the following communities:

*Atkinson • Brentwood • Danville • East Kingston • Epping • Exeter • Fremont •
Greenland • Hampstead • Hampton • Hampton Falls • Kensington • Kingston •
New Castle • Newfields • Newington • Newton • North Hampton • Plaistow •
Portsmouth • Raymond • Rye • Salem • Sandown • Seabrook • South Hampton
• Stratham*

Section 2: Nature of Organization

As a regional planning commission established under RSA 36, the Rockingham Planning Commission is a public body and political subdivision of the State of New Hampshire, and shall be subject to applicable state laws pertaining thereto, including RSA 91A – “Access to Government Records and Meetings”.

Section 3: Metropolitan Planning Organization

The Rockingham Planning Commission is designated as the Metropolitan Planning Organization (Rockingham MPO) for the New Hampshire Sub-State Planning District Six as established by successive Executive Orders in 1972, 1982 and 2007 which have incorporated MPO boundary changes. As presently established in the *MPO Prospectus*, membership of the Rockingham MPO consists of 27 municipalities within Sub-State Planning District 6 as well as six additional entities: The NH Department of Transportation (2 members); NH Department of Environmental Services (Air Resources Division); Cooperative Alliance for Seacoast Transportation (COAST); Cooperative Alliance for Regional Transportation (CART), the Pease Development Authority and the University of New Hampshire (Wildcat Transit). The representation, structure, purpose and duties of the Rockingham MPO are as further established in the *MPO Prospectus* which is incorporated herein by reference.

Unless in conflict with the MPO Prospectus, applicable provisions of these Bylaws shall apply to meetings and proceedings of the Rockingham MPO.

ARTICLE II AUTHORITY AND PURPOSE

Section 1: The Commission shall have and exercise the rights, powers and duties conferred by RSA 36, as amended. The purpose of the Commission shall be as established in RSA 36:45 and specifically to advise, coordinate and facilitate the orderly long-term planning and development of the region in order to preserve and promote the health, safety and general welfare of the region.

Section 2: In carrying out its purpose and responsibilities, the Commission shall undertake the following activities provided that they are consistent with RSA 36, and as staff and other resources permit: prepare, adopt and maintain a comprehensive plan for the region; provide technical and planning assistance to member municipalities; encourage and enable intergovernmental planning and coordination among local, State and Federal governments; conduct research and information-gathering activities; assist member municipalities, counties and at its discretion, other regional entities in implementing regional plans and programs; and carry out a public information program to promote widespread understanding, discussion and participation in regional issues and the solution of regional problems.

ARTICLE III MEMBERSHIP

Section 1: 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. Member municipalities who elect to pay dues in accordance to the dues schedule established by the Commission shall be deemed “dues-paying members” and therefore eligible to vote at Commission meetings and to receive the agency services and benefits provided to such members.

Section 2: Representatives

Member municipalities shall appoint Commission representatives in accordance with the applicable provision of RSA 36:46 and they shall serve accordingly. As used within these Bylaws and in other Commission documents, the term “commissioner” shall be synonymous with the term representative as used in RSA 36:46. Each representative shall be entitled to one vote in Commission matters subject to voting.

Members may also appoint up to a maximum of two alternate representatives in the same manner as established for representatives in RSA 36:46. Alternates may vote on Commission matters only in the absence of one or more of the member’s regular representative(s).

Section 3: MPO Policy Committee Representatives

Each RPC representative (“commissioner”) shall also serve as Rockingham-MPO representative unless otherwise directed by their appointing authority and shall have one vote in all MPO matters. Non-dues-paying municipalities shall be entitled to one voting representative on the MPO Policy Committee regardless of population size. Non-dues-pay municipalities may designate one alternate to the MPO Policy Committee.

Section 4: Meeting Attendance

Meeting attendance by Commissioner and MPO Policy Committee member representatives shall be recorded through meeting minutes as maintained by the Secretary. In the event of multiple absences, the Commission or Policy Committee shall inform the appointing authority of the lack of representation.

ARTICLE IV OFFICERS

Section 1: The officers shall be elected from the voting representatives to the Commission and shall consist of a Chair, Vice-Chair, Secretary and Treasurer. The immediate Past Chair shall also serve as an officer of the Commission.

Section 2: The Chair shall preside at all meetings and hearings of the Commission, shall be responsible for the setting of Commission meeting agendas, and shall have the duties normally conferred by parliamentary usage on such officers. He or she shall serve as Chair of the Executive Committee and Personnel Committee and shall be an ex-officio member of all standing committees.

Section 3: The Vice-Chair shall act for the Chair in his or her absence and shall ordinarily succeed the Chair.

Section 4: The Secretary shall be responsible for keeping the formal minutes and records of the Commission with the assistance of Commission staff, shall ensure proper and legal notice of hearings, and shall attend to such other duties as are normally carried out by a Secretary.

Section 5: The Treasurer shall have the authority to supervise the maintenance and keeping of records of all receipts and disbursements. The Commission's financial records shall be audited annually by a certified public accounting firm. The Treasurer shall from time to time conduct a review of the financial records that are being maintained and fulfill such other roles as called for in the Commission financial control policies.

Section 6: The position of Past Chair shall be conferred on the immediate past chair at the end of the Chair's term. The Past Chair serves as advisor to the Chair and shall act for the Chair in the absence of both the Chair and Vice Chair.

Section 7: The officers of the Commission shall serve in corresponding capacities for the Rockingham MPO.

ARTICLE V QUORUM AND VOTING

Section 1: Representation from a majority of all dues paying member municipalities shall constitute a quorum for the transaction of business at any regular or special Commission meeting. At MPO Policy Committee meetings, representation from a majority of all member entities shall constitute a quorum. Appointment vacancies shall not be counted in computing the majority.

Section 2: Proxy voting shall not be permitted as it is not deemed allowable under the applicable provisions of RSA 91-A.

Section 3: At Commission meetings each representative from a dues-paying member municipality shall have one vote. At MPO Policy Committee meetings, each Commissioner from a dues-paying member municipality and each representative from other member entities shall have one vote. A duly appointed alternate shall be eligible to vote in the Commission or MPO Policy Committee representative's absence.

Section 4: In the event that essential Commission business cannot be transacted at a regular or special commission meeting due to the absence of a quorum, the Executive Committee shall have full authority to meet and act on said business. The Executive Committee shall not, however, have authority to elect officers, adopt the annual budget, amend adopted policies or amend these bylaws.

ARTICLE VI ELECTION AND REMOVAL OF OFFICERS AND EXECUTIVE COMMITTEE MEMBERS

Section 1: Officers and At-Large members of the Executive Committee shall be elected by a majority vote of the Commission at its annual meeting for a one-year term. A report of the Nominating Committee which presents one or more nominations for each position shall be furnished to Commission representatives not less than 30 days prior to the annual meeting. Representatives are privileged to nominate and vote for any eligible candidate from the floor of the meeting whether or not that candidate is nominated by the Nominating Committee.

Section 2: All Representatives of dues paying member municipalities are eligible to serve as Officers or At-Large members of the Executive Committee. Alternate representatives are eligible to serve on the Executive Committee.

Section 3: In the event a vacancy occurs in any office during the term of office, the Executive Committee may select a nominee to fill the balance of that term for confirmation at a subsequent full Commission meeting. Other nominations may be made at the meeting.

Section 4: Removal of Officers: Any officer may be removed for cause from office by a two-thirds vote at a duly noticed Commission meeting which may be called by petition of 30% of the representatives of the Commission. The reasons(s) of removal must be in writing and be provided to the Commission and the individual subject to removal 30 days in advance of the meeting at which removal will be considered.

ARTICLE VII ADOPTION & AMENDMENT OF BYLAWS

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

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

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

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

ARTICLE VIII MEETINGS & HEARINGS

Section 1: Commission meetings shall be at the call of the Chair and will ordinarily take place on a bimonthly basis and otherwise as needed. There shall be an annual meeting held within the three months prior to the start of the fiscal year for the purposes of electing Commission officers and at-large members of the Executive Committee and conducting such other business as may be required. Special meetings shall be held by call of the Chair or by petition to the Secretary by twelve representatives. Special Meetings shall occur with no less than seven days written notice. The purpose of the special meeting shall be stated in the notice and will be the only subject on the agenda.

Section 2: Rockingham MPO Policy Committee meetings shall be at the call of the Chair and will ordinarily take place four times per year and otherwise as needed. Special meetings shall be held by call of the Chair or by petition to the Secretary by twelve representatives.

Section 3: Commission and MPO Policy Committee meetings may be combined; however, separate minutes shall be kept and separate voting and quorum requirements shall be observed for the respective portions of the meeting, in accordance with Article V.

Section 4: In addition to those required by law, the Commission or MPO Policy Committee may hold public hearings when it determines that such hearings will be in the public interest. Except as required by law, notice of the time and place of such hearings shall be posted on the agency website, at the RPC office premises in a public space and in the Town in which the meeting will be held. Other notice may be given in such a manner as is deemed appropriate by the Commission or MPO Policy Committee.

ARTICLE IX ORDER OF BUSINESS

Section 1: The order of business at regular meetings shall be at the discretion of the Chair, 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

Section 2: Minutes shall be kept of all meetings and made available to the public in accordance with RSA 91-A.

Section 3: "Roberts' Rules of Order" may be used as needed at meetings when not in conflict with these bylaws or superseding legislation. Rulings of the Chair may be overruled by majority vote at any full Commission meeting or committee meeting.

ARTICLE X FINANCES

Section 1: 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.

Section 2: The Commission shall adopt an annual budget prior to the start of each fiscal year. The fiscal year of the Commission shall be July1 - June 30. Amendments to the annual budget may be approved by the Commission or the Executive Committee during the fiscal year. Budget amendments that are approved by the Executive Committee shall be provided to the Commission.

Section 3: An audit of the Commission's financial records and procedures shall be conducted annually by an outside certified public accounting firm under the supervision of the Treasurer. The Treasurer shall have the authority to communicate directly with the accounting firm at his or her discretion. The services of the auditing firm shall be retained through a competitive procurement process, renewable annually for not more than five years. A copy of the annual audit shall be furnished to each representative.

Section 4: The Executive Committee shall designate signatories which shall include the Treasurer to sign checks and draw upon the accounts of the Commission.

Section 5: In the event of dissolution of the Commission, assets of the Commission will be distributed among the voting member municipalities in the same proportion as their dues contributions in the year of dissolution.

ARTICLE XI COMMITTEES

Part 1: Ad Hoc Committees

Ad Hoc committees may be established by the Commission or the Executive Committee to address specific needs of a short-term nature that may arise from time to time.

In establishing an Ad Hoc committee, the Commission or Executive Committee shall establish a committee charge which shall specify its purpose, limitations of scope, membership, duration, and reporting requirements. The appointment of members to ad hoc committees shall be made by the Executive Committee.

Part 2: Standing Committees

The Commission shall maintain and as resources permit, provide staff support for the following standing committees: Executive Committee, Nominating Committee, Personnel Committee, Regional Master Plan Committee, Legislative Policy Committee, Developments of Regional Impact Review Committee and the MPO Policy Committee and the MPO Transportation Advisory Committee. Rules of Procedure governing the scope and function for Standing Committees are established herein.

Section 1: General Procedures

1. Authority. Standing committees are subcommittees of the Rockingham Planning Commission, a political subdivision of the State of New Hampshire and are defined as public bodies under RSA 91-A 1-a VI (d). All Standing Committees are therefore subject to applicable provisions of RSA 91-A "Access to Governmental Records and Meetings".
2. Public Access, Notice and Records. The following standards regarding public notice and access shall be in effect for all standing committees:
 - a. All meetings, shall be open to the public except as provided for in RSA 91-A:2. Meeting notice requirements shall be in accordance with RSA 91-A and as may be further specified in a standing committee's separate rules of procedure. Standing Committees shall not meet in non-public session, except for one of the purposes set out in RSA 91-A:3, II.
 - b. Each standing committee shall keep and maintain minutes and other records of its activities in paper or electronic form at the RPC office in an accessible place. Such minutes shall be prepared in accordance with the provisions in RSA 91-A.
3. Rules of Procedure. Each standing committee is authorized to establish appropriate rules of procedure to further specify its activities and procedures provided they are consistent with these Bylaws and with state law.
4. Positions. A chair, vice chair, and/or secretary shall be elected from the committee membership and ratified by the Executive Committee, unless otherwise directed in these Bylaws.
5. Quorum. A quorum for standing committees shall consist of the majority of the membership of that Committee, unless otherwise specified in these Bylaws or in the committee rules of procedure.
6. Appointments and Vacancies.
 - i. Members of the Executive Committee, including Officers and At-Large members shall be elected by the Commission.
 - ii. Members of standing committees shall be appointed by the Executive Committee and shall serve for a period of one year or until a successor is appointed, except however that the members of the MPO TAC Committee shall be appointed in accordance with the MPO Prospectus and rules of procedure of the TAC.
 - iii. In the event a standing committee Member should resign or be unable to continue to serve, the Committee Chair shall promptly notify the Executive Committee so that the vacancy can be filled in a timely manner.

- iv. In the event the Executive Director or Chair of the standing committee recommends the removal of a standing committee member for cause, such consideration shall be discussed in a non-public session of the Executive Committee, provided that before any such removal vote, that member shall be offered the opportunity to meet with the Executive Committee to respond to the complaint.
- v. Vacant positions shall be filled by vote of the Executive Committee not less than 14 days following a solicitation of interest to the general membership.

Section 2: Executive Committee

The Executive Committee shall consist of the officers of the Commission, including Chair, Vice-Chair, Secretary, Treasurer and immediate Past-Chair, as well as eight at-large members, provided that not more than two members shall be from the same community. A quorum shall consist of five (5) members. The members shall be elected annually.

The Executive Committee shall be established as a Standing Committee and shall be responsible for acting for the Commission in the interim between regular meetings and shall meet at the call of the Chair. Its authority shall be as stated in these bylaws and otherwise limited to that from time to time granted by the Commission and shall include carrying out the policies of the Commission, acting on personnel problems and changes, acting on routine monthly financial statements, executing contracts, approving amendments to the annual budget, and appointing members of standing committees. The Executive Committee shall regularly report its activities to the Commission at regular Commission meetings.

Section 3: Nominating Committee

A Nominating Committee of five representatives, including the Chair as ex officio, shall be appointed by the Executive Committee of the Commission at least 60 days in advance of the Commission's Annual Meeting. Each representative of this Committee shall be from a different member municipality. The nominating committee may select one or more candidates for each office. The report of the Committee shall be distributed to all voting Commission representatives no less than 30 days in advance of the annual meeting.

In addition, Nominating Committee may, at its discretion, submit nominations to fill vacancies in standing committees and nominations for Commission annual awards.

Section 4: Personnel Committee

A Personnel Committee shall be established as a Standing Committee and include the following members of the Commission: The Chair, Vice-Chair and Immediate Past Chair. 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 salary recommendations of the Executive Director; to establish and maintain the Personnel policies of the Commission and when needed to coordinate the search for qualified candidates for Executive Director. The Personnel Committee shall also serve as an appeals body for personnel matters that involve appeals by staff to a decision or action taken by the Executive Director.

Section 5: Regional Master Plan Committee

The Regional Master Plan Committee shall be established as a standing committee of the Commission responsible for overseeing the development and updating of the regional comprehensive master plan, as mandated by RSA 36:47. The Committee shall consist of no less than three members who shall be appointed by the Executive Committee. Non-Commission members and staff may be appointed to the Committee to act as technical advisors or experts to assist with master plan updates.

The Committee shall appoint a Chair and Vice Chair at its first meeting of the fiscal year, which shall be called by the Committee's most recent Chair. It shall report annually to the Commission.

Section 6: Legislative Policy Committee

The Legislative Policy Committee shall be established as a Standing Committee of the Rockingham Planning Commission and shall consist of up to seven (7) members appointed by the Executive Committee. A quorum of the Committee shall consist of three (3) members.

The purpose of the Legislative Policy Committee shall be to recommend to the Commission directly, or through the Executive Committee, positions and responses pertaining to proposed legislation in the General Court that it considers relevant and important to regional planning.

Other duties of the Committee may include maintaining written legislative policies that are periodically presented for adoption by the Commission; providing testimony regarding legislation based on those policies; preparing educational materials on proposed or adopted legislation; and organizing an Annual Legislative Forum sponsored by the Commission.

Section 7: Developments of Regional Impact Committee

The Development of Regional Impact Committee (DRIC) shall be established as a Standing Committee of the Rockingham Planning Commission to assist in carrying out the requirements of RSA 36:54-58 – Developments of Regional Impact. The DRIC shall act as an advisory committee to the Commission. The rules of procedure set forth in Appendix 1 are established to govern the scope and function of the DRIC under the Commission's authority in RSA 36:48 to establish such Bylaws.

The purposes of the DRIC are (1) to fulfill the Commission's responsibilities and obligations under the DRI Statute (RSA 36:54-58); (2) provide timely notice to potentially affected municipalities concerning Proposed Developments which are likely to have impacts beyond the boundaries of a single municipality; (3) provide opportunities for the Commission and the potentially affected municipalities to furnish timely input to the municipality having jurisdiction; (4) to encourage the interests of neighboring municipalities and the region to be considered during deliberations and decision-making; and (5) to ensure that municipalities are properly informed regarding the procedures and proper application of the Developments of Regional Impact law (RSA 36:54-58).

Section 8: MPO Transportation Advisory Committee

The MPO Transportation Advisory Committee (TAC) is established as a Standing Committee of the Rockingham Planning Commission functioning in its capacity of Metropolitan Planning Organization for the region (Rockingham MPO) as designated by Governor John Lynch on July 21, 2007.

The Transportation Advisory Committee shall be advisory to the MPO Policy Committee as established in the MPO Prospectus. The TAC's purpose is to provide technical guidance and recommendations to the MPO Policy Committee and Commission staff concerning transportation issues that affect the MPO's continued, comprehensive, and coordinated transportation planning process. Additional purposes of the TAC are:

1. to review and monitor progress on the Unified Planning Work Program (UPWP);
2. to review major work products prepared by staff as part of the transportation planning program;
3. to review and recommend amendments to MPO planning or policy documents including the Prospectus, TIP, Long Range Transportation Plan and others;
4. to provide a forum for individual members to bring transportation related issues and concerns to the attention of the MPO staff and Policy Committee;
5. to advise the staff and MPO Policy Committee on major transportation issues in the region; and
6. to assist in the identification of transportation needs and projects to be considered in the MPO long range transportation plan and project recommendations.

ARTICLE XII EMPLOYEES

Section 1: 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.

Section 2: Such staff shall be hired based on 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.

Section 3: The Commission shall appoint an Executive Director, who shall be the Commission's chief administrative officer, to serve at its pleasure. He or she shall have the following duties which shall be executed within the policies established by the Commission. Said duties may be further defined in the Commission Personnel Policies, as amended.

1. recommend programs, projects, annual budgets and amendments thereto;
2. direct, supervise and administer the Commission's adopted work program;
3. manage the business affairs of the Commission;
4. manage expenditure and commitments within authorized appropriations and allocations;
5. ensure administrative compliance with all grants and contracts which may be received;
6. maintain proper Commission records, correspondence and other documents;
7. employ and supervise necessary Commission staff;
8. seek appropriate sources of revenue adequate to support the Commission's programs;
9. prepare such technical studies and reports to the Commission and member municipalities as the Commission may direct;
10. assist with the organization and planning for commission meetings and programs; and
11. perform all other duties incident to the position and as may be requested of him by the Commission.

Section 4. The Executive Director shall meet the qualifications criteria as established in the Commission Personnel Policies or as otherwise established in the hiring process and approved by the Commission. The Commission shall have the responsibility for appointing and removing 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:

1. In the event of a vacancy, the Assistant Director shall act as the Executive Director until an Acting or Permanent Executive Director is appointed by the Executive Committee and Commission. If the Assistant Director position is not filled at the time of the Executive Director vacancy, the Executive Committee shall appoint an Acting Director.
2. An Executive Director Search Committee shall be appointed by the Executive Committee which shall include the Chair, other members of the Personnel Committee, one or more members of the Executive Committee up to three (3) other members of the Commission, municipality or outside stakeholder organizations. This Committee may also include professionals in the fields of public planning, administration or related fields.
3. The Executive Director Search Committee shall make an initial review of all applicants to identify those candidates to be invited to appear for an interview.
4. The Commission may reimburse candidates invited to appear for interviews at its discretion. Such expenses, if paid, shall be limited to reasonable transportation expenses, lodging and meals.
5. The Search Committee shall interview candidates, rank the candidates and recommend one or more candidates to the Executive Committee for consideration. The Executive Committee shall forward its recommended candidate for approval by the full Commission, after which the Executive Committee shall negotiate an offer of employment with the individual selected.

ARTICLE XIII SAVING CLAUSE

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

ADOPTION AND AMENDMENT HISTORY

These Bylaws were originally 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 Addendum below, "Historical Note")

The RPC Bylaws were re-adopted by the full Commission on May 5, 1991, and subsequently amended on the following dates: 09/14/94; 05/13/98; 12/30/99; 5/08/02; 3/10/10; 3/2011; 5/2011; 10/2016; 12/14/2016.

The RPC Bylaws were readopted in their entirety on: July 12, 2017.

ADDENDUM

Historical Notes regarding the establishment and designation of the Rockingham Planning Commission (RPC) and Rockingham Metropolitan Planning Organization (RPC-MPO)

A. History 1972-1974

In 1972, Governor Preston, through Executive Order No. 15, combined the seventeen (17) regions in New Hampshire into six (6) Sub-State Planning Regions for the purpose of reducing administrative duplication and creating more sustainable regional planning agencies. Strafford Regional Planning Commission, (headquartered in Dover); Southeast 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. This action took effect on July 1, 1972.

In March 1974, the towns through town meeting vote and cities through action of the City Councils, voted to administratively combine the Strafford Regional Planning Commission, the Southern NH Planning Commission, the Southern Rockingham Planning District to form a single administrative entity called the Strafford-Rockingham Regional Council which conformed to the area defined as Sub-State District 6. With this vote, municipalities gained dual membership in both their respective regional planning commission and in the Council, and their representatives became members of both organizations.

B. History 1975-1982

Executive Order Number 82.7, dated June 16, 1982, merged the Southeast Regional Planning Commission and the Southern Rockingham Planning Commission, into the present Rockingham Planning Commission, serving 27 municipalities within Rockingham County, and which remained Sub-State Planning District 6. The third planning commission, the Strafford Regional Planning Commission, became an independent regional planning commission to serve Strafford County as well as the Towns of Newmarket, Nottingham and Northwood in Rockingham County, and was established as a new Sub-State Planning District 7.

Following this separation, the Strafford Rockingham Regional Council, given the absence of the Strafford County municipalities, voted to rename itself the Rockingham Planning Commission. Because the Rockingham Planning Commission maintained the designation as Sub-State Planning District 6, membership was deemed to be continuous from the date of the first municipal vote to join either the Southern Rockingham or Southeast Regional Planning Commission, most of which votes date from 1969 through 1973.

C. History – 1983-2016

On July 21, 2007, Governor John Lynch, by letter to the Federal Highway Administration approved the re-designation of the Salem-Plaistow-Windham and Seacoast MPOs which each covered portions of the RPC region, into a single MPO co-terminous with Sub-State Planning District 6.

At the request of the Town of Windham, Executive Order Number 2013-2 dated January 24, 2013, was issued transferring Windham from Sub-State Planning District 6 to Planning District 5b (the Southern NH Planning Commission).

At the request of the Town of Raymond, Executive Order Number 2016-7 dated November 2, 2016, was issued expanding the Rockingham Planning Commission to include Raymond.

APPENDIX 1

RULES OF PROCEDURE Developments of Regional Impact Committee

1. Establishment & Authority

The Development of Regional Impact Committee (DRIC) shall be established as a Standing Committee of the Rockingham Planning Commission to assist in carrying out the requirements of RSA 36:54-58 – Developments of Regional Impact. The DRIC shall act as an advisory committee to the Commission. The rules of procedure set forth hereunder are established to govern the scope and function of the DRIC under the Commission's authority in RSA 36:48 to establish such Bylaws.

2. Purpose and Responsibilities

The purposes of the DRIC are: (1) to fulfill the Commission's responsibilities and obligations under the DRI Statute (RSA 36:54-58); (2) provide timely notice to potentially affected municipalities concerning Proposed Developments which are likely to have impacts beyond the boundaries of a single municipality; (3) provide opportunities for the Commission and the potentially affected municipalities to furnish timely input to the municipality having jurisdiction; and (4) to encourage the interests of neighboring municipalities and the region to be considered during deliberations and decision-making. Specific responsibilities include:

- a. As part of its general responsibilities the DRIC shall establish and publicize guidelines to assist local land use boards in its member communities for determining regional impact and participating in the regional DRI process. These guidelines shall be consistent with regional impact criteria specified in RSA 35:55 and developed in accordance with RSA 36:56, II. The guidelines shall be periodically reviewed and updated to account for changes in law and best practice.
- b. The DRIC's specific responsibilities with respect to a proposed development are further specified in Sections 6 & 7 and shall commence upon notification from a community that a development has been declared as having regional impact and that; therefore, the Commission has been granted abutter status in connection with a proposed development.

3. Members

- a. The DRIC shall consist of five (5) members and up to three (3) alternate members appointed by the Executive Committee. Membership on the DRIC shall run concurrently with a Member's Commission term.
- b. Vacant positions shall be filled by vote of the Executive Committee not less than 14 days following a solicitation of interest to the general membership.
- c. A member may participate in any discussion before the DRIC even if the Proposed Development is taking place within that Member's municipality. Members shall follow the standard for conflict of interest that guides land use board members as set forth in RSA 673:14.

- d. All RPC Commissioners shall be notified of DRIC meetings. Only appointed members or alternates designated to serve in a member's place, shall vote to determine the findings. Commissioners who are not members or alternates may participate in committee discussions if recognized by the Chair.

4. Organization

The DRIC shall elect a Chair and Vice-Chair from among its membership at the first meeting called in any given fiscal year. In the event the Chair is unavailable for a meeting of the DRIC, the Vice-Chair shall service as Chair. The Chair and Vice-Chair shall serve until the first DRIC meeting of the next fiscal year.

5. Meetings

Meetings shall be held at the call of the Chair after notification from a local land use board of an RPC municipality: (i) that has received an application for a development which it deems likely to have impacts beyond that municipality's boundaries; and (ii) recognizing RPC as an abutter for the purpose of giving notice and testimony, in accordance with RSA 36:54 and 57.

6. Implementation Procedures and Notices

- a. Upon notification that the RPC has been granted abutter status, RPC staff will contact the appropriate officials in the municipality having jurisdiction to secure copies of such documentation submitted by the Proposed Development's Application as is necessary to facilitate the DRIC discussions. Documentation provided to the RPC shall be requested to be received by email or on disc in PDF reader compatible format to allow prompt distribution to the DRIC members. For documentation that is not available in PDF format or cannot be transmitted electronically, 6 paper sets should be requested.
- b. RPC staff will schedule a meeting of the DRIC and provide written notice and documentation at least five (5) business days in advance of the meeting, as set forth below:
 - i. Provide written notice of the time, place and agenda for the DRI Committee meeting together with relevant documentation to all Members of the DRIC;
 - ii. Notification of the time, place and agenda of the DRIC meeting will be sent to the Chair of the local land use board that made the DRI declaration, to any other local land use board having jurisdiction, and the Clerk of the municipality where the proposed development is located, as well as to the Clerk and Planning Board Chair of municipalities that have been granted abutter status by the municipality having jurisdiction;
 - iii. The Notice shall also request that a representative of the municipality having jurisdiction present their perspective on the Proposed Development of the DRIC at the meeting;
 - iv. Notification shall be provided to the proposed development's applicant requesting that a representative present their proposal to the DRIC at the meeting;
 - v. Notification shall also be provided to all RPC Commissioners; and

- vi. The meeting notice and agenda shall be posted on the agency website and in at least two public places including the site of the Committee meeting and in the municipality where the development in question is proposed to occur.

7. Meeting Procedures

a. Quorum

The Chair shall call the meeting to order and determine that a quorum is present. Administrative matters, including minutes, may be addressed at the beginning or the conclusion of the meeting.

A quorum for a DRIC meeting shall require that at least three (3) members and/or alternates be in attendance. In the event that a DRIC Member is (i) absent or (ii) declares a conflict relating to a particular Proposed Development on the Agenda, prior to any discussion the Chair shall appoint an Alternate DRIC Member to sit as a voting member for the entire meeting, or for the part of the meeting discussing the Proposed Development relating to the Member's conflict, as the case may be.

b. Presentation Procedures

For each Proposed Development scheduled on the Agenda the following general order will be followed. The Chair shall have discretion to modify the order of agenda items as may be necessary according to the circumstances of the meeting.

- i. The Chair or designated Commission staff shall (i) present a brief review of the Committee's statutory responsibilities for hearing testimony and reviewing developments of regional impact, including, but not limited to, a summary of the criteria set forth in RSA 36:55 and (ii) review the Agenda for the meeting.
- ii. The Applicant's Representative shall be provided the opportunity to make a brief presentation describing the Proposed Development.
- iii. The Representative of the municipality having jurisdiction shall be provided the opportunity to present their perspective.
- iv. If additional abutting communities are party to the DRI process in the particular case, a representative of the abutting community or communities will be provided the opportunity to present their perspective(s).
- v. In the event an applicant's representative or the municipality's representative is not present, an RPC staff member will summarize his/her understanding of the Proposed Development from that entity's perspective.
- vi. An RPC Staff Representative will be asked to comment on the degree of likely regional impact and to offer their evaluation of the Proposed Development in this regard.
- vii. After questions from DRIC Members have been answered, the Chair may ask for comments regarding the Proposed Development from abutters, other RPC Commissioners, and interested members of the public.
- viii. Written testimony received by the Committee may be read by the Chair into the public record, or made a part of the public record.
- ix. Should the DRIC deem it necessary, follow-up meetings shall be scheduled and called by the Chair.

8. Findings

- a. At the conclusion of a presentation, the DRIC shall discuss the Proposed Development's potential for regional impact in light of the documentation and testimony provided to the DRI Committee, and in accordance with its statutory responsibilities (RSA 36:54-58).
- b. The DRIC's findings and positions concerning the Proposed Development shall be determined and stated as a motion to be voted upon at the meeting and recorded in the Minutes.
- c. RPC staff shall prepare an advisory letter detailing the findings of the DRIC with respect to the Proposed Development and after approval of the Chair and the Executive Director, forward this correspondence over the signature of the Chair to the appropriate land use board Chair and the Clerk of the municipality having jurisdiction for approving or denying the Proposed Development. In addition, the letter of findings will be provided to all parties notified in Section VI 2 above.
- d. As warranted by the nature, scale or complexity of the regional impacts found during the review of a Proposed Development, the Chair, other members of the DRIC and/or designated RPC staff shall be encouraged to attend public hearing(s) held by the relevant municipal land use board(s) to assist by voicing the RPC's perspective concerning the Proposed Development's regional impact(s), and to urge that municipality to take into consideration the interests of the region. RPC Staff shall provide such additional analysis as may from time to time be appropriate.

APPENDIX 2

RULES OF PROCEDURE

Transportation Advisory Committee

1. Establishment

The MPO Transportation Advisory Committee (TAC) is established as a Standing Committee of the Rockingham Planning Commission functioning in its capacity of Metropolitan Planning Organization for the region (Rockingham MPO) as designated by Governor John Lynch on July 21, 2007.

2. Authority and Purpose

The Transportation Advisory Committee shall be advisory to the MPO Policy Committee as established in the MPO Prospectus. The TAC's purpose is to provide technical guidance and recommendations to the RPC-MPO Policy Committee and Commission staff concerning transportation issues that affect the MPO's continued, comprehensive, and coordinated transportation planning process.

Additional purposes of the TAC are: (1) to review and monitor progress on the Unified Planning Work Program (UPWP); (2) to review major work products prepared by staff as part of the transportation planning program; (3) to review and recommend amendments to MPO planning or policy documents including the Prospectus, TIP, Long Range Transportation Plan and others (4) to provide a forum for individual members to bring transportation related issues and concerns to the attention of the MPO staff and Policy Committee; (5) to advise the staff and MPO Policy Committee on major transportation issues in the region; and (6) to assist in the identification of transportation needs and projects to be considered in the MPO long range transportation plan and project recommendations.

The TAC shall not establish policies or make decisions for the MPO, but shall make recommendations to it regarding policies, programs, projects and such other matters as may be directed by the MPO.

3. Membership

The TAC shall be comprised of the membership as defined in the MPO Prospectus, as amended, and shall include representatives from the RPC region, member and non-member communities, plus NHDOT, NHDES, COAST, CART, Pease Development Authority and other state and federal transportation officials as defined therein. The Committee may authorize additional non-voting members.

4. Appointments, Terms & Resignations

Members shall be appointed by the governing bodies of their respective appointing authorities. The appointing authority may designate one alternate for each voting representative. The appointment of each representative shall be for a period of three (3) years. Appointments shall be certified in writing by the appointing authority prior to the first TAC meeting of the fiscal year (July-June).

A member whose term has lapsed may continue to serve until re-appointed, removed or replaced by their appointing authority. In the event that a member of the TAC resigns, a copy of the resignation shall be filed with the Chair. The Commission staff shall notify the member's appointing authority that the resignation has occurred and of the need to make a new appointment to complete the remainder of the term.

5. Quorum and Voting

A quorum shall be deemed to be representation from a one-third of voting members of the TAC. For the purpose of defining quorum, a written proxy may serve to establish quorum only for the specific agenda items for which a proxy vote is indicated.

Voting and non-voting status of members shall be as defined in the MPO Prospectus. Designated Alternates for voting members may vote if the appointed member is not present at the meeting.

6. Officers

The Officers of the TAC shall consist of Chair and Vice-Chair, who shall be chosen by voting membership by majority vote at the first TAC meeting of the fiscal year (July-June). Officer vacancies that occur during the year shall be filled in the same manner.

Chair: The Chair shall preside at all meetings of the TAC. The Chair shall call meetings and set the agenda of meetings in consultation with staff and have such other duties normally conferred by parliamentary usage of the Chair.

Vice-Chair: The Vice-Chair shall serve as acting Chair in the event the Chair is not present or not able to serve as Chair and shall have the duties normally conferred by parliamentary usage of Vice-Chair.

Duties normally assigned to the secretary shall be performed by Commission staff. This shall include keeping the minutes and records of the TAC, assisting the Chair in preparing the agenda of regular and special meetings, providing the notice of all meetings, arranging proper and legal notice of hearings, attending to correspondence, assembling necessary data and reports and such other duties as are customary to the position.

7. Meetings

TAC meetings shall ordinarily occur on a bi-monthly basis at the RPC Commission Offices in Exeter. Both the frequency and the location may be modified as needed by the Chair and in consultation with Commission staff.

Notices: Meeting notices, including agendas and related materials, shall be made by email to the membership except to members who request notice by regular mail. Meeting notices shall be distributed at least five (5) business days in advance of the meeting. Meeting notices shall be posted in at least two public places in the community in which the meeting is scheduled to occur.

Order of Business: The normal business at regularly scheduled meetings of the Committee shall be as follows and may be changed at the discretion of the Chair:

- a. Introductions
- b. Action on the minutes of the previous meeting
- c. Communications and Public Comment
- d. Staff & Committee Reports
- e. New & Old Business (including staff reports, deliberations, findings, recommendations)
- f. Adjournment

8. Public Access and Participation

The TAC shall carryout its functions and duties in a manner that is consistent with RPC Standing Committee Rules of Procedure (Article XI, Part 2, Section 1 of these Bylaws) and with the Public Participation policies established in Section 7 of the MPO Prospectus. All meetings shall be held in public session in handicapped accessible locations. Reasonable accommodations shall be made for the hearing and vision impaired, provided that at least 48 hours notice of the need for such accommodations is made. The TAC shall operate in accordance with all applicable provisions of RSA 91-A as specified in Section A of this Article.

9. Subcommittees

The TAC may establish sub-committees, such as corridor committees and special study committees, as is deemed necessary to fulfill its purposes as articulated in sub-section A. Such sub-committees shall be advisory to the TAC and may include members outside TAC membership. The membership of sub-committees shall be subject to approval by the TAC. The chair of sub-committees shall be appointed by the TAC Chair. Staff support for such committees shall be provided to both the availability of uncommitted staff time and support for expenditures in the adopted or amended Unified Planning Work Program.