

LAMPREY RIVERS ADVISORY COMMITTEE BYLAWS

(Adopted by vote of the Lamprey Rivers Advisory Committee January 26, 2012)

(Amended October 25, 2012)

(Amended March 27, 2014)

(Amended July 24, 2014)

(Amended May 21, 2019)

Article I NAME

- A. The name of this organization shall be the LAMPREY RIVERS 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 (hereinafter referred to as the Commissioner), the Rivers Management Advisory Committee (RMAC), and the fourteen (14) municipalities of Barrington, Brentwood, Candia, Deerfield, Durham, Epping, Exeter, Fremont, Lee, Newfields, Newmarket, Northwood, Nottingham, and Raymond through which the Lamprey River and its major tributaries flow, on matters pertaining to the management of these rivers (hereinafter referred to as the "Rivers").
 - (2) Advise the Secretary of the Interior, through the National Park Service (NPS), on matters pertaining to the segment of the Lamprey designated as a National Wild and Scenic River, federal actions potentially affecting the Rivers, and implementation of the current Lamprey Rivers Management Plan.
 - (3) Consider and comment on any federal, state or local government plans to approve, license, fund, or construct facilities that may alter the resource values and characteristics of the Rivers. [Ref. 483:8-a III(b)]
 - (4) Assist in the implementation of the current Lamprey Rivers Management Plan developed pursuant to RSA 483:10 adopted by the Lamprey River Advisory Committee on 01/10/1995, and any amendments thereto. The Committee may revise and amend the management plan as it deems appropriate and as consistent with the enabling legislation.
 - (5) Report biennially to the RMAC and the Commissioner, and annually to the local governing bodies on the activities of the Committee, on the status of compliance with federal and state laws and regulations, local ordinances, and plans relevant to the Rivers, including but not limited to, community education and outreach services, river corridor protection or restoration efforts, and management plan development or implementation. [Ref. 483:8-a III(d)]
 - (6) The Committee may apply for and accept, from any source, gifts, grants, and donations of money. The Committee may, without further authorization, expend any funds so received to carry out its duties pursuant to RSA 483:8-a.

- (7) Upon the dissolution of the Committee, assets shall be distributed to a non-profit entity with a similar mission.

Article III MEMBERSHIP

- A. Members of the Committee shall be appointed in accordance with RSA 483:8-a.
- B. No more than four (4) members shall be appointed to the Committee from any of the municipalities named in Article II B(1). All members of the Committee shall be New Hampshire residents. In the event of a member's resignation, a new member shall be appointed to represent the governing body of the resigning member's municipality.
- C. The Committee shall be composed of members who represent a broad range of interests in the vicinity of the Lamprey Rivers watershed. 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, a member from the vicinity of the Lamprey Rivers watershed may be appointed to the Committee in accordance with Article III A who will represent that interest.
- D. Each member shall serve a term of three (3) years and may be re-appointed for successive terms.
- E. In the event that any member is absent from four (4) or more consecutive meetings without excuse/notification, the Chairperson may request the appointment of another person to represent the municipality or area of interest. The Chairperson may also request the resignation of the absent member.
- F. All vacancies shall be filled as soon as possible with another representative from the same municipality and/or representing the same area of interest.
- G. 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 Lamprey River Watershed.

Article IV OFFICERS AND DUTIES

- A. The officers of the Committee shall consist of a Chairperson, Vice-Chairperson, Secretary, and Treasurer.
- B. The duties of the Chairperson shall be as follows:
 - (1) Work with other Committee officers to determine meeting agendas (The Committee, by majority vote, may add items to or remove them from the agenda.)
 - (2) Ensure that the New Hampshire Department of Environmental Services (NHDES) Rivers Coordinator and NPS River Manager receive copies of agendas, minutes, and all documents relative to the LRAC's activities
 - (3) Preside over LRAC meetings
 - (4) Represent the LRAC as required before local, state and federal governments and public and private agencies in carrying out the LRAC duties
 - (5) Act as LRAC spokesperson and point of contact in the public domain
 - (6) Implement decisions of the LRAC regarding expenditure of LRAC funds

- (7) Review subcommittee work plans
- (8) Fulfill responsibilities and conduct business in accordance with LRAC Bylaws.
- C. The duties of the Vice-Chairman shall be to:
 - (1) Act for the Chairperson in his/her absence
 - (2) Assume such other duties as may be assigned by the Chairperson or the Committee.
- D. The duties of the Secretary shall be to:
 - (1) Record and disseminate the minutes of LRAC meetings, including member attendance
 - (2) Maintain a historical file of said minutes
 - (3) Post notice of upcoming Committee meetings as indicated in Article VII A, and keep a record of all such notices
 - (4) Assist the Chairperson in correspondence as needed
 - (5) Maintain a historical file of official LRAC correspondence
 - (6) Maintain a copy of the current Committee Bylaws.
- E. The duties of the Treasurer shall be to:
 - (1) Receive and make payments as authorized by the LRAC
 - (2) Maintain and reconcile LRAC bank accounts, if any
 - (3) Report on LRAC financial activity at monthly meetings
 - (4) Submit an annual report of LRAC financial activity
 - (5) Assist in preparation of financial data for required U.S. Tax returns
 - (6) Transact any and all other necessary financial business as authorized by the LRAC.

Article V ELECTION OF OFFICERS

- A. Officers shall be elected annually in January, as described below.
- B. Elected officers shall serve for two (2) years, or until successors are elected.
- C. Terms shall be staggered; Chairperson and Secretary being elected in odd years, and Vice-Chairman and Treasurer in even years.
- D. Nominated candidates receiving a majority vote of the members present shall be declared elected.
- E. Vacancies in office shall be filled immediately at the next meeting by a majority vote of members in attendance, provided a quorum is present.

Article VI CONDUCT OF BUSINESS

- A. Each member appointed in accordance with Article III A, including the Chairperson, 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 quorum not be present, all business requiring a vote shall be deferred until the next meeting of the Committee.
- C. A quorum is defined as at least seven members with at least one member each from five different municipalities.
- D. Determinations of any matter before the Committee shall require a majority vote of those voting.

- E. The results of all decisions and votes made by the Committee shall be fully reported in the minutes.

Article VII MEETINGS

- A. All meetings shall be open to the public and properly posted according to RSA 91-A. The Secretary shall notify all municipalities listed in Article II B(1) of the meetings.
- B. Regular meetings of the Committee will be held monthly on a publicly noticed recurring day of each month, or as agreed upon at a prior meeting, provided that public notice of the altered meeting date is provided at least 48 hours in advance of the meeting.
- C. Regular meetings of the Committee shall be rotated among member towns, as decided at the prior meeting, or held at a central location, as decided by the Committee.
- D. 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. Copies of the minutes shall be forwarded to each member prior to the next meeting. The Secretary shall maintain a file of corrected and approved minutes. Approved minutes shall be forwarded to the selectmen, town councilors or other appropriate municipal boards or commissions of member municipalities, the NHDES Rivers Coordinator, the NPS River Manager and the Committee's webmaster within 6 days following the meeting at which they were approved.
- E. Records shall be kept of member attendance.
- F. Special meetings of the Committee may be called by the Chairperson provided at least five (5) business days' notice of the time, place, and business of said meeting is given to each member and each representative municipality.
- G. 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 a non-public session may be invoked. Specific purposes of a non-public session may include, but are not limited to, personnel matters, land negotiations, and legal issues. During such non-public sessions the Committee may discuss the issue under consideration, and may take action or reach a formal decision on how to proceed in a non-public session. In order for a non-public session to be called, a majority of Committee members present at the meeting shall vote to enter into a non-public session. For the duration of the non-public session all non-Committee members shall leave the meeting, unless specifically requested to remain by the Committee. The proceedings of a non-public session shall comply with RSA 91-A:3.

Article VIII SUBCOMMITTEES

- A. Subcommittees may be formed by vote of the Committee at any time.
- B. Except as set forth in Article VIII E(2), all subcommittees shall be chaired by a member of the Committee, and may include additional Committee members as well as non-Committee members.
- C. Except as set forth in Article VIII E(4), subcommittees shall prepare and implement work plans, and report on activities and make recommendations to the full Committee.

- D. All subcommittee meetings shall be open to the public and posted and recorded in accordance with RSA 91-A.
- E. There shall be a standing subcommittee for all matters pertaining to management of those segments of the Lamprey River designated into the National Wild and Scenic River System under the Wild and Scenic Rivers Act (16 U.S.C. 1271-1287).
 - (1) The name of this standing subcommittee shall be the Lamprey River Wild and Scenic Subcommittee, hereinafter referred to as the “Wild and Scenic Subcommittee.”
 - (2) Its membership shall consist of those Committee members appointed under Article III A who represent the local governing bodies of Durham, Epping, Lee, and Newmarket.
 - (3) The Wild and Scenic Subcommittee shall be the principal vehicle for coordination between the Committee and the National Park Service for all matters pertaining to management of the Lamprey River as a Wild and Scenic River, and shall be able to act independently in matters outside the purview of RSA 483.
 - (4) The Wild and Scenic Subcommittee may, but shall not be required to, comply with Article VIII C.
 - (5) The Wild and Scenic Subcommittee shall be responsible for coordinating the expenditure of any federal funds allocated by the National Park Service through cooperative agreements with the Lamprey River Watershed Association for the purpose of implementing the Wild and Scenic designation, and is authorized to elect its own treasurer for this purpose.
 - (6) In the event that an issue comes before the Wild and Scenic Subcommittee that requires a confidential discussion in a non-public forum for purposes including, but not limited to, personnel matters, land negotiations, and legal issues, the decision to call a non-public session may be invoked.

Article IX CONFLICT OF INTEREST

- A. Any possible conflict of interest on the part of any member of the Committee shall be disclosed to the Committee and made a matter of record when the interest involves a specific issue before the Committee. The disinterested members will determine by simple majority vote whether a conflict exists and whether recusal is required. Where such a conflict of interest involves real or potential transactions less than five thousand dollars (\$5,000) in a fiscal year, a two-thirds vote of the disinterested members present is required to determine the issue before the Committee. Above \$5000, publication of the vote and the declared conflict of interest is additionally required, in regional publication(s). The minutes of the meeting shall reflect the disclosure of conflict, determination if conflict exists, the recusal and abstention from voting, and the actual vote upon the issue itself. Every new member of the Committee will be advised of this policy upon joining the Committee, and shall sign a statement acknowledging understanding of and agreement to this policy.

Article X SUPPORT SERVICES

- A. The Committee may enter into agreement for services, funding or other support as approved by the Committee. [Ref. 483:8-a, III-a]

Article XI AMENDMENTS

- A. These Bylaws may be amended at any regular meeting by a majority vote provided that such amendments have been presented in writing to the Committee at the previous meeting, and at least twenty (20) days have passed since the presentation of final wording.