

**MEETING NOTICE AND AGENDA**  
**ROCKINGHAM PLANNING COMMISSION**

**Wednesday, May 10, 2017; 7:00 P.M.**  
**Hampton Falls Town Hall**  
**1 Drinkwater Road, Hampton Falls, NH**  
 (map/directions on reverse)

- 7:00 I. Call to Order/Welcome/Introductions – *Phil Wilson, Chair, RPC & Town of Hampton Falls*
- 7:10 II. Minutes from April 12, 2017 Commission Meeting  
**MOTION TO APPROVE** *[Attachment 1]*
- 7:15 III. **Non-Public Session under RSA 91-A [per RSA 91-A:3.II.(b)] -**  
 Report of the Executive Director Search Committee. – *Phil Wilson, Chair*
- 7:45 IV. Review/Adopt Draft FY 2018 RPC Budget **MOTION TO ADOPT** *[Attachment 2]*  
 - *Cliff Sinnott, Executive Director*
- 8:00 V. Report of the Nominating Committee – Proposed Slate for FY 2017 *[Attachment 3]*  
 - *Joan Whitney, Chair*
- 8:10 VI. Contract Authorizations: NHOEP Targeted Block Grant for FY 2017 – *Cliff Sinnott*  
**MOTION TO AUTHORIZE** *[Attachment 4]*
- 8:15 VII. Proposed amendments to RPC Bylaws – Comments from Commissioners  
 (Note: the vote on the amendments will be postponed to July to allow for the completion of the minimum 30 day comment period) – *Barbara Kravitz, Bylaws Committee* *[Attachment 5]*
- 8:25 VIII. Draft RPC *Municipal Planning Services Catalog* *[distribution for comment]*  
 – *Cliff Sinnott*
- 8:35 IX. **COMMISSIONER ROUNDTABLE** – raise an issue, or concern; share some information – the floor is yours *[time permitting]*
- 8:55 X. Other Business  
 A.. Annual meeting (June 14<sup>th</sup>, Portsmouth Country Club; Speaker: Willem Lange, author, outdoorsman, host of NHPTV “Windows to the Wild”  
 B. Other
- XI. Public Comment; Adjourn



# ATTACHMENT 1

## RPC Commission Meeting Minutes

REDC Office, Raymond  
April 12, 2017

**Members Present:** Phil Wilson, Chair, and Dan Derby, North Hampton; Glenn Coppelman and Dan Derby, Kingston; Tim Moore and Julian Kiska, Plaistow; Barbara Kravitz and Ann Carnaby, Hampton; Don Hawkins, Seabrook; Lucy Cushman and Leo Gagnon, Stratham; Erik Dykeman, Sandown; Katherine Woolhouse, Exeter; Joan Whitney, Kensington; Phil Winslow, Rye; Mike Turell, Atkinson; Chris Cross and Denis Hebert, Newington; Stephen Gerrato, Greenland; Jim Doggett, Newton; Joe Foley, Epping; Alissa Welch, Christina Sapp and Gretchen Gott, Raymond; Don Marshall, Fremont; Elizabeth Strachan,

**Others Present:** Lisa Wilson, Conservation Commission Chair, North Hampton; Carolyn Matthews, Carol and Wayne Watjus, Raymond. (MPO meeting portion: NH DES; and Glenn Davison, NH DOT. Victoria Sheeham, NH DOT Commissioner)

**Staff Present:** Cliff Sinnott, Dave Walker, Scott Bogle, Christian Matthews and Roxanne Rines.

8:45 p.m. RPC Commission Meeting Opened following adjournment of RPC/MPO meeting

### 10. Minutes from March 8, 2017 Commission meeting

**Motion:** Coppelman made a motion to approve the minutes of March 8, 2017, as written. Turell seconded the motion. **Motion carried.**

### 11. Contract Authorization: NHDOT/FTA 5310 Purchase of Service Funds for Fiscal Years 2018 and 2019

Bogle reviewed the contract.

**Motion:** Hebert made a motion to Authorize the Executive Director to execute the contract with NHDOT for FTA 5310 Purchase of Service Funds for Fiscal Years 2018 and 2019. Turell seconded the motion. **Motion carried.**

### 12. Distribution of Proposed Amendments to RPC Bylaws

Sinnott reviewed the changes and re-organizing of the RPC Bylaws. Please review the document send any changes to him, it will be reviewed again at the Executive Committee's May meeting. He stated the committee did a huge amount of the work. Discussion ensued.

Winslow asked that Sinnott send an email with track changes to all commission members.

### 13. Update on Executive Director Search

**Wilson** explained the make-up of the Executive Search Committee; 12 applications were received; 3 candidates are being considered and interviews will be completed next week.

Sinnott stated the Commission meeting will be held on May 24<sup>th</sup> and the Executive Committee will meet on May 17<sup>th</sup>.

**14. Public Comment / Other Business / Adjourn**

**Sinnott** stated the Annual Meeting will be June 14, 2017, at the Portsmouth Country Club, with Willem Lang the guest speaker .

Meeting adjourned at 8:52 p.m.

Respectfully submitted,

Roxanne M. Rines  
Recording Secretary

# ATTACHMENT 2

## MEMORANUM

TO: RPC Commissioners  
FROM: Executive Committee  
Cliff Sinnott, Executive Director  
DATE: May 5, 2017  
SUBJECT: **Proposed FY-2018 Budget**

Attached is the proposed RPC budget for fiscal year 2018 which begins on July 1. As in the past, the budget consists of separate tables showing anticipated funding (Table 1) and expenses (Table 2) for the upcoming fiscal year (July 1, 2016 through June 30, 2017). The Executive Committee has reviewed several versions of this over the past three months. At their meeting on April 26, the Committee reviewed a draft budget which contained a small deficit of approximately \$5,200 and directed me to find ways to eliminate the deficit either through additional funding, reduced expenses, or a combination, and bring that revised budget to the May 10<sup>th</sup> Commission meeting for approval. The budget included here does eliminate the deficit and includes a surplus of about \$12,500. These changes, which I will review during the budget presentation, involve several additions to funding and spending cuts made through several small adjustments in staff hours, benefits, equipment and other expenses.

### SUMMARY

Overall, funding is expected to increase by more than 12% over the current year's level. While significant, more than 60% is of this increase is attributed to pass-through funds associated with the FTA 5310 transit program for which we pass-through grant funds to human service transit operators on behalf of COAST. The remaining increase has been more than offset by rising expenses, making this an exceeding tight budget. Not unlike most years, we will enter fiscal year 2018 with some uncertainty about several funding sources. The sources I consider uncertain are identified with horizontal shaded bands in the funding table (Table 1). They represent about \$62,000 in total funding or about 5.5% of the total budget. In other respects, the funding assumptions in the budget are conservative, particularly regarding local contracts. Overall I think the budget has an acceptable level of risk, and is in line with our historical norm.

Our general budget path in the past has been that funding improves somewhat during the year as new projects and contracts arise. That has not been true in the past two years, however, and we should not count on funding to improve during the year. Given that there is uncertainty in some funding, it will be incumbent upon the Executive Director, Business Manager and Executive Committee to monitor the budget to be sure spending and funding targets are met, especially in the first half of the year. A brief summary of major changes and assumptions compared to our current budget follows.

### FUNDING (Table 1)

Total funding is estimated to be \$1,297,909 which is almost \$132,000 more than the adopted revenue budget for the current year. As explained above, most of this increase is in pass-through funding so the positive effect on operating revenue is more limited – just 1.1%. Changes by category include an 8.8% increase in local dues

and services (thanks to Glenn's work securing master plan contracts for Brentwood and Newington and the likely new circuit rider contract for Newfields), a transportation funding increases of 10.5%, and an increase in the 'State and Other Funding' category of about 40% (\$53,000), thanks to success that Jenn and Julie have had in getting NHDES source water protection, 604(B), and NOAA Project of Special Merit funding. But this overstates the positive. Most of the transportation increase is in the pass-through FTA 5310 funding, masking reductions from the completion of the SHRP2 contract and a winding down of administrative services for CART. UPWP funding, our large single funding source, has increased from the earlier draft budget, but remains about \$75,000 below our initial expectation. Some of the state funding increases are due to the delays in project due to start this year. The funding budget assumes that 5 of 7 of the communities that will receive hazard mitigation grant funding this year will choose the RPC to do this work (last year all of them did).

A number of new funding sources remain as possibilities next year, but they are too speculative to include in our funding assumptions at this time. These include continued DES PTAPP (non point source pollution tracking) and MS4 technical assistance funding and a NOAA/PSM tidal culvert research project. Overall, we have done well to increase net operating funding, even by a small amount, in a very constrained funding environment.

## **EXPENSES (Table 2)**

The expense line item budget has been trimmed wherever possible, but the increases and the reductions in most line items are marginal compared to the current year budget. The most significant changes in the expense side of the proposed budget are as follows:

- Approximately \$115,761 net increase has been made in contracted services. Most of this (\$87,000 or about 75%) of this is due to an increase in the FTA 5310 pass-through contract already mentioned.
- The salaries line item increases by \$32,618. This increase funds cost living increase of 1.4%, starting in October, a full year of the Transportation/GIS Analyst position, including an end of probationary salary adjustment, and adds health insurance stipends to two staff not utilizing our health insurance benefit. Salary costs are reduced somewhat in intern and administrative hours.
- Health Insurance premium costs have risen by 8% from last year, but the line item total is reduced because two additional staff members have elected to use their spouses' benefits and receive our annual healthcare contribution/stipend instead.
- With all expenses as proposed, we have a surplus of about 12,500, for which \$7500 is set aside for fund balance accrual and about \$5000 if left unobligated.

## **DUES AND HOURLY RATE**

The proposed funding budget is based on the existing dues of \$0.99 per capita, which have already been invoiced for this fiscal year. The budget proposal includes a recommended dues increase of 1% for next year to \$1.00. This proposal is in line with the Commission's policy to increase dues annually or biennially to account for inflation. The budget also recommends continuing with a three tiered hourly rate structure: (1) a standard hourly rate of **\$63** for general commission technical assistance that involves a mix of staff (no change); (2) a professional planning services hourly rate of **\$68** (an increase of \$2 over the current rate ), and (3) a non-affiliated hourly rate of **\$85** (no change) charged to non-member communities and outside for-profit organizations. These rates are effective on July 1 but to not to municipal contracts until their 2018 fiscal year.

There will be ample opportunity during the meeting to review and discuss the budget and review the handful of changes made since the Executive Committee's review. **The requested action is to adopt the FY 2018 RPC budget as represented in the accompanying tables.**

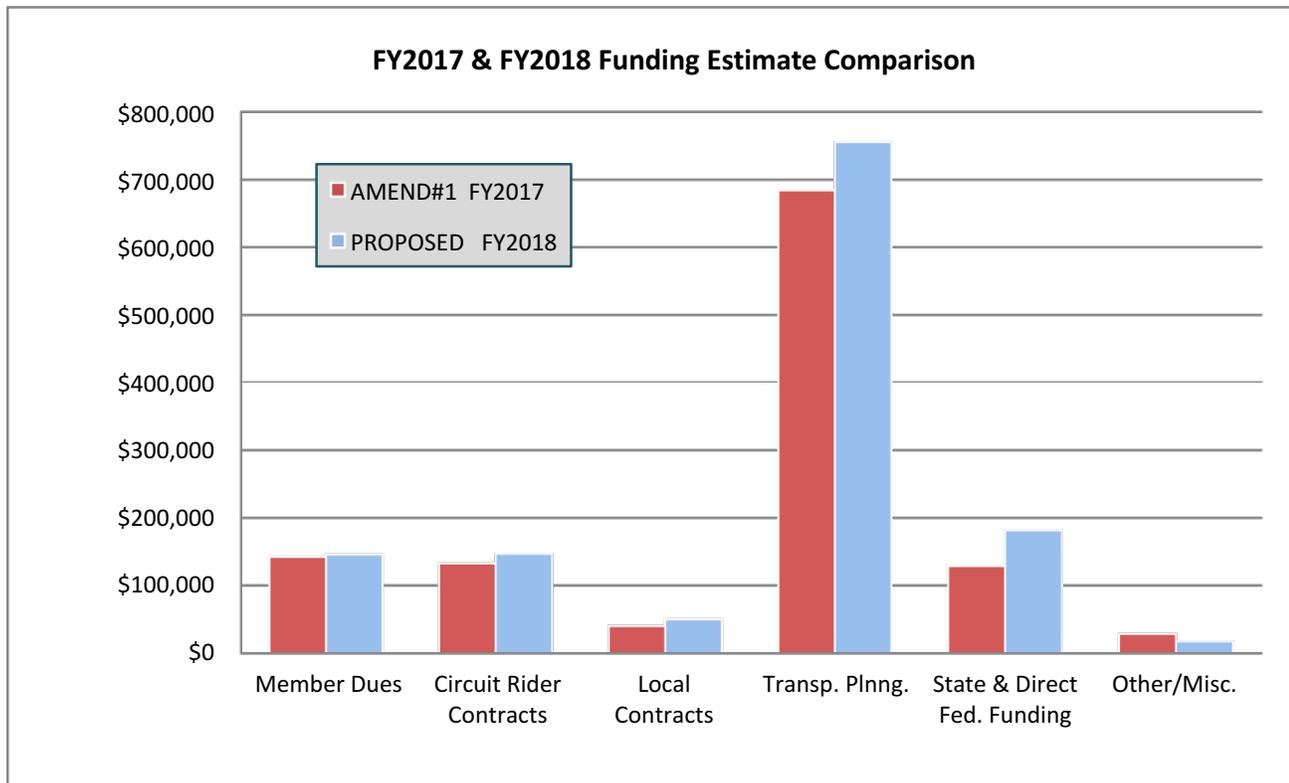
**TABLE 1**  
**FUNDING BUDGET FOR FISCAL YEAR 2018**  
**Rockingham Planning Commission**  
**FY2018 - PROPOSED BUDGET**

FUNDING CATEGORY	ADOPTED FY2017	AMEND#1 FY2017	PROPOSED FY2018	\$ Change	% Change	Comments
<b>I. LOCAL DUES AND SERVICES</b>	<b>\$331,006</b>	<b>\$314,981</b>	<b>\$342,767</b>	<b>\$27,786</b>	<b>8.8%</b>	
<b>Local Dues</b>	<b>\$142,306</b>	<b>\$142,306</b>	<b>\$145,828</b>	<b>\$3,522</b>	2.5%	At 99 cent per capitat base rate; assumes no dues from Salem and Danville
<b>Circuit Rider Services</b>	<b>\$133,692</b>	<b>\$132,692</b>	<b>\$146,939</b>	<b>\$14,247</b>	<b>10.7%</b>	
Plan Review Income (Tier 2); Admin	\$2,500	\$1,500	\$1,500	\$0	0.0%	estimate
Brentwood	\$19,282	\$19,282	\$20,200	\$918	4.8%	hourly rate - \$66/hr
East Kingston	\$10,416	\$10,416	\$10,912	\$496	4.8%	hourly rate - \$66/hr
Fremont	\$9,796	\$9,796	\$10,262	\$466	4.8%	hourly rate - \$66/hr
Kensington	\$9,238	\$9,238	\$9,678	\$440	4.8%	hourly rate - \$66/hr
Kingston	\$27,528	\$27,528	\$28,839	\$1,311	4.8%	hourly rate - \$66/hr
Newton	\$11,346	\$11,346	\$11,886	\$540	4.8%	hourly rate - \$66/hr
Atkinson	\$8,184	\$8,184	\$8,574	\$390	4.8%	hourly rate - \$66/hr
Hampton Falls CR/TA	\$17,360	\$17,360	\$18,187	\$827	4.8%	hourly rate - \$66/hr
N. Hampton CR/TA	\$18,042	\$18,042	\$18,901	\$859	4.8%	hourly rate - \$66/hr
Newfields	\$0	\$0	\$8,000	\$8,000	--	new limited CR service contract (estimated @10 hr /mo)
<b>TBG Local Grant Match</b>	<b>\$5,000</b>	<b>\$6,500</b>	<b>\$6,500</b>	<b>\$0</b>	<b>0.0%</b>	basis for TBG match
Hampton Design Guidelines	\$0	\$2,500	\$0	-\$2,500	-100.0%	
Epping NRI	\$0	\$2,000	\$0	-\$2,000	-100.0%	
Sandown MS4 Impl.	\$0	\$2,000	\$0	-\$2,000	-100.0%	
Placeholder	\$5,000	\$0	\$6,500	\$6,500	--	assumes full subscription
<b>Other Local Contracts</b>	<b>\$50,008</b>	<b>\$33,483</b>	<b>\$43,500</b>	<b>\$10,017</b>	<b>29.9%</b>	
Newington MP update	\$0	\$0	\$12,000	\$12,000	--	new project (total: \$17,000)
Brentwood MP Update	\$0	\$0	\$11,000	\$11,000	--	new project (total: \$14,000; assumes \$3K in TBG)
Newton Master Plan Asst.	\$0	\$0	\$3,000			
Seabrook SRTS Travel Plan	\$7,258	\$0	\$0	\$0	--	assuming project not going forward
Exeter MP Update	\$0	\$2,000	\$0	-\$2,000	-100.0%	complete in FY17
No. Hampt. Hist. Resource mapping	\$1,500	\$1,500	\$0	-\$1,500	-100.0%	assume completion in FY17
Rye Visioning & MP	\$5,000	\$5,750	\$0	-\$5,750	-100.0%	continuation
Placeholder UPWP 50% match	\$5,000	\$5,000	\$5,000	\$0	0.0%	Assumes one RSMS and/or MS4 project
Regional HHW Management	\$2,500	\$2,000	\$2,500	\$500	25.0%	fee for organizational services
PREPA Contracts	\$8,750	\$12,233	\$0	-\$12,233	-100.0%	project completed in FY17
Misc. Local Contracts	\$20,000	\$5,000	\$10,000	\$5,000	100.0%	Placeholder

FUNDING CATEGORY	ADOPTED FY2017	AMEND#1 FY2017	PROPOSED FY2018	\$ Change	% Change	Comments
<b>II. TRANSPORTATION PLANNING</b>	<b>\$556,650</b>	<b>\$684,112</b>	<b>\$755,435</b>	<b>\$71,323</b>	<b>10.4%</b>	see below
UPWP (FHWA/FTA/SPR)	\$528,550	\$547,162	\$552,000	\$4,838	0.9%	UPWP budget finalized
FTA 5310 RPC Admin	\$8,100	\$7,200	\$8,854	\$1,654	23.0%	5% of passthrough
FTA 5310 Passthrough to COAST/RR/TAS	\$0	\$90,000	\$177,081	\$87,081	96.8%	new transit provider added
Highway Perf. Standards Pilot Proj. (SHRP)	\$20,000	\$22,500	\$0	(\$22,500)	-100.0%	project ends in FY17
CART Planning Services	\$0	\$17,250	\$10,000	(\$7,250)	-42.0%	service will to be extended due to lack of CART E.D. & transition to MTA
TDM Services in CTAP Region (CNHRPC)	--	\$0	\$7,500	\$7,500	--	new approved multi-RPC CTAP project providing TDM services
<b>III. OTHER STATE &amp; FEDERAL FUNDING</b>	<b>\$136,820</b>	<b>\$128,653</b>	<b>\$181,706</b>	<b>\$53,054</b>	<b>41.2%</b>	--see below--
Targetted Block Grant	\$11,111	\$11,111	\$11,111	\$0	0.0%	2nd year of biennium
Coastal Program TA	\$12,500	\$12,500	\$12,500	\$0	0.0%	continued (reduced) CZP funding level
NHHSEM FY2016-17 Plan Updates (Ports., Plaistow, No. Hampton)	\$23,500	\$23,500	\$0	(\$23,500)	-100.0%	projects completed early - 100% of income in FY17
NHHSEM FY18 Plan Updts	\$0	\$0	\$37,000			assumes 5 of 7 eligible towns are funded and choose RPC as contractor (Seab.; Exeter; Hampst; H. Falls; Kingston; Newing; Epping)
NHDES EPA Brownfields (D'Agostino Rose Farm; passthrough)	\$0	\$3,201	\$0	(\$3,201)	-100.0%	project completed in FY17
NHDES/PTAPP Pollution Tracking (604B)	\$10,000	\$0	\$0	\$0	--	Expected continuation of project with 604B funding likely, but uncertain
NHDES/604B Epping Green Infrastructure	\$2,500	\$4,060	\$0	(\$4,060)	-100.0%	balance of grant in FY17
NHCP/NERRS C-RISE	\$15,713	\$17,873	\$0	(\$17,873)	-100.0%	Project ends in FY17
NHDES Sourcewater Protection - Seabrook	\$6,500	\$9,500	\$0	(\$9,500)	-100.0%	Expect project complete in FY17
NHDES Sourcewater Protection - Fremont	\$7,500	\$0	\$10,500	\$10,500	--	Contract in place, but work delayed to FY18
NHDES Sourcewater Protection - Regl. Ed.	\$10,000	\$0	\$10,000	\$10,000	--	Assumes \$10,000 project in FY18
NOAA PSM Part 1: Setting SAIL	\$22,996	\$5,000	\$29,494	\$24,494	489.9%	project funding in FY17 and FY18 = \$34,494
NOAA PSM Part2: Exeter Resilience		\$33,708	\$37,421	\$3,714	11.0%	project funding in FY17 and FY18 = \$71,129
NOAA PSM High Water Mark Proj.	\$14,500	\$4,000	\$22,000	\$18,000	450.0%	Confirmed Proj. (\$26K 18mo.)
Tidal Culverts PSM	\$0	\$0	\$0			Project application - non confirmed (6K in FY18)
NHDES 604B - Powwow Watershed Pllng	\$0	\$4,200	\$11,680	\$7,480	178.1%	Approved application; \$28,000 over 18 mo; only \$15880 secure
<b>IV. OTHER</b>	<b>\$51,392</b>	<b>\$28,562</b>	<b>\$17,500</b>	<b>(\$11,062)</b>	<b>-38.7%</b>	
REDC -- CEDS	\$5,325	\$5,325	\$5,500	\$175	3.3%	assumes same scope of work
ERLSLAC Tech. Assistance	\$2,000	\$2,000	\$2,000	\$0	0.0%	T. Walker assistance to ERLSLAC
Portsmouth Climate Change & Hist. Resource Plan - Outreach	\$0	\$0	\$8,000			GEI Sub consultant
NE Oceans Research Council- Tides/Storms Imple.	\$17,567	\$21,237	\$0	(\$21,237)	-100.0%	\$49567 Nov-15 to 09-16
MS4 Regional Assistance Prog.	\$20,000	\$0	\$0	\$0	--	NHCF grant not funded; trying CDFA i2i
Miscellaneous	\$6,500	\$0	\$2,000	\$2,000	--	pass through items no longer shown here
<b>TOTAL/PROJECTED FUNDS**</b>	<b>\$1,075,868</b>	<b>\$1,165,317</b>	<b>\$1,297,409</b>	<b>\$132,092</b>	<b>11.3%</b>	
<b>PASS-THROUGH OR CONTRACTED</b>	<b>\$74,590</b>	<b>\$163,095</b>	<b>\$283,856</b>	<b>\$120,761</b>	<b>74.0%</b>	See section IV of Expense Budget)
<b>OPERATING BUDGET</b>	<b>\$1,001,278</b>	<b>\$1,002,222</b>	<b>\$1,013,553</b>	<b>\$11,331</b>	<b>1.1%</b>	

**SUMMARY - FY 2017 & 2018**

FUNDING SOURCE	ADOPTED	AMEND#1	PROPOSE			NOTES
	FY2017	FY2017	D FY2018	FY-17 vs. FY-18		
Member Dues	\$142,306	\$142,306	\$145,828	\$3,522	2.5%	\$0.99/per capita rate; includes Raymond; no Salem or Danville
Circuit Rider Contracts	\$133,692	\$132,692	\$146,939	\$14,247	10.7%	Pending contracts based on new rate of \$66/hr.
Local Contracts	\$55,008	\$39,983	\$50,000	\$10,017	25.1%	includes new MP contracts fr Newington and Brentwood; CR for Newfields
Transp. Plnng.	\$556,650	\$684,112	\$755,435	\$71,323	10.4%	new UPWP contract; SHRP2 ended; assumes no CART subcontract
State & Direct Fed. Funding	\$136,820	\$128,653	\$181,706	\$53,054	41.2%	2 NOAA Special Merit Projs approved, one at lower budget
Other/Misc.	\$51,392	\$28,562	\$17,500	(\$11,062)	-38.7%	MS4 TA program removed
<b>TOTAL</b>	<b>\$1,075,868</b>	<b>\$1,156,308</b>	<b>\$1,297,409</b>	<b>\$141,101</b>	<b>12.2%</b>	
<b>PASS-THROUGH &amp; CONTRACTED</b>	<b>\$74,590</b>	<b>\$163,095</b>	<b>\$283,856</b>	<b>\$120,761</b>	<b>74.0%</b>	
<b>OPERATING BUDGET</b>	<b>\$1,001,278</b>	<b>\$1,002,222</b>	<b>\$1,013,553</b>	<b>\$11,331</b>	<b>1.1%</b>	



**TABLE 2**  
**EXPENSE BUDGET FOR FISCAL YEAR 2018 \*\*PROPOSED BUDGET\*\***  
 Rockingham Planning Commission

I. LINE ITEM BUDGET FOR FY 2018							
LINE ITEM	Account Number	ADOPTED FY 2017	AMEND1 FY2017	PROPOSED FY 2018	\$\$ Change from FY17	% Change	Amendment #1 Comments
Salaries	6100	\$ 648,384	\$ 639,390	\$ 670,508	\$ 31,118	4.9%	1.4% COLA (\$8K) Full year of salary for new transp. staff (\$27K); added health insurance stipend for two addl' staff See Section IV below for details
Contracted Services	6115	\$ 74,590	\$ 163,095	\$ 283,856	\$ 120,761	74.0%	based on YTD estimate
Travel & Expenses	6116	\$ 7,500	\$ 7,500	\$ 8,500	\$ 1,000	13.3%	renewal of credit line; assumes no change
Bank Service Charge	6200	\$ 350	\$ 350	\$ 350	\$ -	0.0%	tracks salaries @ 7.65%
Taxes-Payroll	6110/6111	\$ 49,601	\$ 48,913	\$ 51,294	\$ 2,380	4.9%	assumes no change
Unemployment Insurance	6210	\$ 500	\$ 500	\$ 500	\$ -	0.0%	8% prem. increase but 2 fewer staff taking benefits = lower cost
Health Insurance	6212	\$ 58,237	\$ 58,237	\$ 46,300	\$ (11,937)	-20.5%	RPC deductible assistance (@ 5 covered empl.: \$1000/yr)
Health ins Deductible (separatd)		\$ 2,500	\$ 2,500	\$ 3,500	\$ 1,000	40.0%	No renewal yet; budget assumes 5% increase
Dental Insurance	6214	\$ 10,907	\$ 10,907	\$ 11,453	\$ 545	5.0%	assumes no change
Life & Disability Insurance	6216	\$ 4,092	\$ 4,092	\$ 4,092	\$ -	0.0%	maintains parity with NHRS contrib. (11.38%) one fewer staff participating; admin fee funded by participants
Retirement - 457 Plan	6218	\$ 33,952	\$ 33,952	\$ 33,009	\$ (943)	-2.8%	one additional staff participating; employer rate = 11.38% (full FY with new transp staff)
Retirement - NHRS	6218	\$ 38,350	\$ 37,597	\$ 41,019	\$ 3,422	9.1%	assumes no change
General Insurance	6220	\$ 4,625	\$ 4,625	\$ 4,625	\$ -	0.0%	2% increase per lease agreement
Rent	6230	\$ 49,772	\$ 49,772	\$ 50,752	\$ 980	2.0%	no change anticipated
Janitorial		\$ 2,000	\$ 2,000	\$ 2,000	\$ -	0.0%	no change anticipated
Telephone & Internet	6240	\$ 5,100	\$ 5,100	\$ 5,100	\$ -	0.0%	no change anticipated
Office, Cmptr., Copier Suppl.	6250	\$ 12,750	\$ 12,750	\$ 12,750	\$ -	0.0%	Based on current spending
Postage	6260	\$ 2,500	\$ 2,500	\$ 2,000	\$ (500)	-20.0%	assumes no single audit req. for FY17 but may change
Audit	6270	\$ 11,250	\$ 9,250	\$ 9,250	\$ -	0.0%	based on YTD estimate
Utilities	6280	\$ 6,250	\$ 6,250	\$ 6,250	\$ -	0.0%	based on YTD estimate
Contract Printing	6118	\$ 2,000	\$ 2,000	\$ 2,000	\$ -	0.0%	lower based on new public notice procedures
Newspaper & Media	6117	\$ 1,500	\$ 1,500	\$ 1,000	\$ (500)	-33.3%	copier costs and software licence renewals
Equipment & Software Maint.	6311	\$ 12,500	\$ 15,000	\$ 15,000	\$ -	0.0%	(APA, AMPO, NARC, NHARPC, NHIMA, Chamber, SEL)
Dues & Subscriptions	6340	\$ 6,500	\$ 6,500	\$ 7,000	\$ 500	7.7%	Based on current spending
Training, Workshops, Conf.	6350	\$ 2,000	\$ 2,000	\$ 3,000	\$ 1,000	50.0%	Based on current spending
Accounting	6360	\$ 1,200	\$ 300	\$ 300	\$ -	0.0%	Based on current spending
Payroll Processing	6361	\$ 500	\$ 500	\$ 500	\$ -	0.0%	Based on current spending
Miscellaneous	6380	\$ 6,500	\$ 2,000	\$ 2,000	\$ -	0.0%	annual meeting subsidy; other misc
Equip. Purchase. & Lease	6400	\$ 10,100	\$ 7,500	\$ 7,000	\$ (500)	-6.7%	See Section II below for details
Depreciation	****	\$ -	\$ -	\$ -	\$ -	--	none
Fund Balance Accrual	****	\$ 5,000	\$ 20,000	\$ 7,500	\$ (12,500)	-62.5%	as able to set funds aside
Unobligated Funds**	****	\$ 4,857	\$ 8,736	\$ 5,002	\$ (3,734)	-42.7%	surplus or (deficit)
<b>TOTAL</b>		<b>\$ 1,075,868</b>	<b>\$ 1,165,317</b>	<b>\$ 1,297,409</b>	<b>\$ 132,092</b>	<b>11.3%</b>	from Table 1 - funding budget
Pass-through/Contr Services		\$ 74,590	\$ 163,095	\$ 283,856	\$ 120,761	74.0%	See Section IV below for details
<b>TOTAL OPERATING</b>		<b>\$ 1,001,278</b>	<b>\$ 1,002,222</b>	<b>\$ 1,013,553</b>	<b>\$ 11,331</b>	<b>1.1%</b>	

II. EQUIPMENT DETAIL					
Items	ADOPTED FY 2017	AMEND1 FY2017	PROPOSED FY 2018	\$\$\$ Change	% Change
Computer Software	\$ 2,500	\$ -	\$ -	\$ -	--
Computer replacements	\$ 1,000	\$ 2,000	\$ 2,000	\$ -	0.0%
Server & Network	\$ 3,000	\$ 1,500	\$ 2,000	\$ 500	33.3%
Misc office equip & furniture.	\$ 600	\$ 2,000	\$ 1,000	\$ (1,000)	-50.0%
Transportation Misc Equip	\$ 2,500	\$ 1,500	\$ 1,500	\$ -	0.0%
Contingency	\$ 500	\$ 500	\$ 500	\$ -	0.0%
<b>Total</b>	<b>\$ 10,100</b>	<b>\$ 7,500</b>	<b>\$ 7,000</b>	<b>\$ (500)</b>	<b>-6.7%</b>

III. AGENCY CONTRACTING & DUES RATE						
	\$ 1,001,278	\$ 1,002,222	\$ 1,013,553	Change	% Change	Comments
Non-Passthrough Budget,						
No. Employees (fulltime equiv.):	10.25	9.75	10.25	0.50	5.1%	10 full time staff + interns (n/c consultant)
Total person-hours:	21320	20280	21320	1,040.00	5.1%	based on 2080 hours/year
Available person-hours:	18368	17472	18368	896.00	5.1%	less holidays, vacation, and sick leave
Agency Operating Cost/Hr	\$ 59	\$ 63	\$ 61	(2.63)	-4.2%	incl. 10% cost contingency
CR Avg. Cost/hr.	\$ 70	\$ 70	\$ 70	-	0.0%	
<b>Recommended Member Hourly Rate</b>	<b>\$63 / \$66CR</b>	<b>\$63 / \$66CR</b>	<b>\$63 / \$68CR</b>	--	--	Regl. Rate: \$63/hr.; CR Hourly Rate \$67/hr
<b>Recommended Non-member Hourly Rate</b>	<b>\$85</b>	<b>\$85</b>	<b>\$85</b>	\$0	0.0%	approx. 35% above member rate;
<b>Dues Rate</b>	<b>FY18: \$0.99</b>	<b>FY18: \$0.99</b>	<b>FY19: \$1.00</b>	\$0	0.0%	based on 1.4% CPI in 2016

RPC FY 2018 Line Item Budget, \*\*PROPOSED BUDGET\*\* - continued

IV. CONTRACTED SERVICES DETAIL						
Items	ADOPTED FY 2017	AMEND#1 FY 2017	PROPOSED FY 2018	\$ Change	% Change	
Legal Services	\$ 1,500	\$ 1,000	\$ 1,000	\$ -	0.0%	
Brownfields D'Agostino site assessment	\$ -	\$ -	\$ -	\$ -	--	Crederre passthrough
CEDS Update	\$ 1,860	\$ 1,890	\$ 1,890	\$ -	0.0%	Based on current year scope
ERSLAC Asst.	\$ 1,800	\$ 1,800	\$ 1,800	\$ -	0.0%	Subcontracted to T. Walker
Haz Mit Plan update assistance	\$ 8,750	\$ 13,125	\$ 13,125	\$ -	0.0%	Assumes 2 plans updated by consultant
NE Oceans Research Council - Tides/Storms Imple.	\$ 4,500	\$ 5,100	\$ -	\$ (5,100)	-113.3%	Remainder of project in FY16
NHDES-NHCP/NOAA C-RISE	\$ 5,500	\$ 5,500	\$ -	\$ (5,500)	-100.0%	Tides to Storms in Great Bay
CR Contracting:	\$ 12,180	\$ 12,180	\$ 12,180	\$ -	0.0%	Assumes H. Falls continues as subcontracted service
Website Devel.	\$ 2,500	\$ -	\$ -	\$ -	0.0%	enhancements
FTA 5310 Passthrough	\$ -	\$ 90,000	\$ 177,081	\$ 87,081	--	Passthrough for transit services - Year 1 of two year arrangement
Setting SAIL TA assistance	\$ -	\$ -	\$ 12,000	\$ 12,000	--	T. Walker
Powwow 604B Assistance	\$ -	\$ -	\$ 3,000	\$ 3,000	--	T. Walker
Exeter Resilience Engineering Consultant	\$ -	\$ 23,780	\$ 23,780	\$ -	--	Waterstone Engineering (\$47.5K total)
Exeter Resilience Communications Consultant	\$ -	\$ 2,000	\$ 3,000	\$ 1,000	--	Exeter Resilience Engineering Consultant
Miscellaneous & Contingency	\$ 3,000	\$ 3,000	\$ 3,000	\$ -	0.0%	general contingency
<b>General Contracted Services SUB-TOTAL</b>	<b>\$ 41,590</b>	<b>\$ 159,375</b>	<b>\$ 251,856</b>	<b>\$ (38,203)</b>	<b>-91.9%</b>	
<b>UPWP Non-Personnel Costs</b>						(per UPWP)
100 Transportation-specific legal services	\$ -	\$ 500	\$ -	\$ 500	--	CART to take on more of cost
200 Congestion Management Process (CMP)	\$ -	\$ -	\$ -	\$ -	--	special counts, equip., or analyses
300 Website devel. Other public outreach	\$ -	\$ -	\$ 2,500	\$ -	--	ongoing development of MPO site
400 Software (HCS, Trax, Petra, Other)	line item	line item	line item			moved to equipment/software budget
400 Software Maint (TransCAD)	line item	line item	line item			moved to equipment/software budget
400 Traffic Counting Services	\$ 25,000	\$ 25,000	\$ 24,000	\$ -	0.0%	assumes approx. same level of effort
400 Traffic Modeling Consulting Assist.	\$ 5,000	\$ 3,500	\$ 5,000	\$ (1,500)	-30.0%	RSG and other services
400 Equipment supplies and repairs	line item	line item	line item			(included in equipment budget line item)
400 Traffic Counting Contr management	\$ 2,500	\$ -	\$ -	\$ (2,500)	-100.0%	consultant
400 Data Acquisition, Census	\$ 500	\$ 500	\$ 500	\$ -	0.0%	Coop population projections - OEP / CNHRPC
<b>UPWP Sub-Total</b>	<b>\$ 33,000</b>	<b>\$ 29,500</b>	<b>\$ 32,000</b>	<b>\$ (3,500)</b>	<b>-10.6%</b>	(other direct UPWP expense included in budget line items for training, printing & equip.)
<b>Total</b>	<b>\$ 74,590</b>	<b>\$ 188,875</b>	<b>\$ 283,856</b>	<b>\$ 114,285</b>	<b>153.2%</b>	Consulting budget line item

# ATTACHMENT 3

## 2017 NOMINATING COMMITTEE REPORT

TO: RPC Commissioners

FROM: Nominating Committee *Joan Whitney, Kensington (Chair); Barbara Kravitz, Hampton; Tim Moore, Plaistow; Glenn Coppelman, Kingston; Katherine Woolhouse, Exeter, Phil Wilson, No. Hampton (Ex officio)*

DATE: May 5, 2017

SUBJECT: **Proposed Slate for Officers and Executive Committee, FY 2018**

---

This Report of the Nominating Committee is prepared in accordance with Article V, Section 2 of the Commission Bylaws requiring that the Nominating Committee submit a report with nominations for Commission officers and at-large positions for the ensuing year be distributed to the membership at least 30 days prior to the annual meeting.

The Nominating Committee for FY 2018 was appointed by vote of the Executive Committee on March 22, 2017 and consists of the following members: Joan Whitney, Kensington (Chair); Glenn Coppelman, Kingston; Barbara Kravitz, Hampton; Katherine Woolhouse, Exeter; Phil Wilson, No. Hampton (ex officio)

The Committee met on March 29th and again on April 26th to consider nominations for Officers and Executive Committee members for the ensuing fiscal year. Prior to consideration of the slate, a general email announcement was made to the full Commission membership on behalf of the Committee notifying them that the Nominating Committee would be considering nominations for Commissioners interested in serving on the Executive Committee as well as other standing committees. A general announcement to this affect was also made at the March 8<sup>th</sup> and April 10<sup>th</sup> Commission meetings. Executive Committee members and Officers were polled regarding their willingness to serve in FY2018.

At the meeting on March 29th, the Nominating Committee reviewed the current roster of all committee memberships and assignments, tenure and resignations. The Committee reviewed bylaw requirements, potential candidates, and reaffirmed the general objective of officers succeeding from Secretary to Vice Chair and then to Chair, and the understanding that officers are encouraged to serve two one-year terms as they are willing and able. It was recognized that two members would be stepping off the Board: Rick Taintor from Portsmouth and Don Marshall from Fremont.

Acknowledging that FY 2018 would mark a significant transition year for the Commission with a new Executive Director, Vice Chair Kravitz proposed that, if Wilson was willing, he continue as chair for

one more year, and leave the other officers in their present positions. Although unusual, consensus was that this approach would be beneficial to both the staff and the Commission in that it allows for the Executive Director transition to occur first, followed by the Chairman the following year, rather than both occurring simultaneously. Wilson indicated that, under the circumstances, he would accept a third term as Chair

Based on this approach, the Nominating Committee developed the proposed slate for FY 2018 shown below, which includes the addition of two new at-large members.

This report and any further revision to it will be distributed for consideration at the RPC annual meeting to be held on June 14, 2017. Additional nominations will be accepted from the floor during the Annual Meeting.

**PROPOSED OFFICERS AND EXECUTIVE COMMITTEE SLATE  
FOR FISCAL YEAR 2018**

***Officers:***

Chair	Phil Wilson, North Hampton
Vice Chair	Barbara Kravitz, Hampton
Secretary	Joan Whitney, Kensington
Treasurer	Mike Turell, Atkinson
Past-Chair	Glenn Coppelman, Kingston

***At-Large Members:***

Francis Chase, Seabrook  
Lucy Cushman, Stratham  
Michael McAndrew, New Castle  
Richard McDermott, Hampton Falls  
Peter Merrill, Kensington  
Tim Moore, Plaistow  
Mark Traeger, Sandown  
Katherine Woolhouse, Exeter

# ATTACHMENT 4

**EXHIBIT A - SERVICES  
TARGETED BLOCK GRANT PROGRAM  
Rockingham Planning Commission (“RPC”)**

**1. WORK TASKS AND PRODUCTS**

Work Tasks listed will guide work by Rockingham Planning Commission and the NH Office of Energy and Planning (OEP) unless all parties agree to modify these Work Tasks. *Insert agency name* and OEP will agree on modifications to the Work Tasks before implementing them, and OEP will respond with approvals or suggestions within 15 days of receipt.

**FY 2018 (July 1, 2017 – June 30, 2018)**

**Task A-1 – Geographic Information System Support 29% of work program\***

(1) General Municipal GIS Support:

This task will provide support and technical assistance for municipal GIS assistance not otherwise supported by project or contract funding. Such assistance will include the following: supporting day-to-day requests for assistance on municipal mapping projects, supporting the use and application of GIS products and services at the local level, and responding to day to day requests for technical assistance in the preparation of GIS maps.

(2) Regional GIS Support:

This task will support ongoing maintenance of regional GIS maps and databases including regional land use / land cover mapping, acquisition of aerial imagery, regional zoning maps, conservation land updates, and the production, updating and distribution of the RPC standard map set.

**Task B-1 - Developments of Regional Impact 8% of work program\***

This task will partially support fulfilling RPC obligations under RSA 36:58, including staff support for the review of developments of regional impact. The task will also partially support staff assistance to the RPC Development of Regional Impact Committee, including scheduling, organizing and attending Committee meetings, preparing written responses, and attending local land use board meeting concerning developments of regional impact as needed. This will also support the task of monitoring and amending the DRI rules of procedure and community guidance as needed

**Task C-1 – Matching Planning Grant Assistance Program for 48% of work program\*  
Member Municipalities**

This component of our program will support a matching grant program the RPC makes available for planning assistance projects in RPC member communities. These funds will be made available to the communities on a minimum 50/50 matching basis program for eligible planning projects. Specific projects will be solicited from the communities and evaluated for funding based on the project description, demonstrated need, past TBG supported project assistance and availability of local match. Non dues-paying members will not be eligible for these matching grant funds.

**Task D-1 Education and Training**

**15% of work program\***

- 1) The RPC will plan, organize and conduct at least two training workshop for planning boards or other local land use boards to be held during the fiscal year. One workshop will focus on new land use board members; a second will address a topic that RPC staff identifies as timely and needed.
- 2) The RPC will prepare and distribute to planning boards and other local land use boards at least one planning advisory memos on current planning issues, changes in law or procedure or other topics deemed appropriate by the RPC.

**FY 2019 (July 1, 2018 – June 30, 2019)**

**Task A-1 – Geographic Information System Support**

**29% of work program\***

(1) General Municipal GIS Support:

This task will provide support and technical assistance for municipal GIS assistance not otherwise supported by project or contract funding. Such assistance will include the following: supporting day-to-day requests for assistance on municipal mapping projects, supporting the use and application of GIS products and services at the local level, and responding to day to day requests for technical assistance in the preparation of GIS maps.

(2) Regional GIS Support:

This task will support ongoing maintenance of regional GIS maps and databases including regional land use / land cover mapping, acquisition of aerial imagery, regional zoning maps, conservation land updates, and the production, updating and distribution of the RPC standard map set.

**Task B-1 - Developments of Regional Impact**

**8% of work program\***

This task will partially support fulfilling RPC obligations under RSA 36:58, including staff support for the review of developments of regional impact. The task will also partially support staff assistance to the RPC Development of Regional Impact Committee, including scheduling, organizing and attending Committee meetings, preparing written responses, and attending local land use board meeting concerning developments of regional impact as needed. This will also support the task of monitoring and amending the DRI rules of procedure and community guidance as needed

**Task C-1 – Matching Planning Grant Assistance Program for Member Municipalities**

**48% of work program\***

This component of our program will support a matching grant program the RPC makes available for planning assistance projects in RPC member communities. These funds will be made available to the communities on a minimum 50/50 matching basis program for eligible planning projects. Specific projects will be solicited from the communities and evaluated for funding based on the project description, demonstrated need, past TBG supported project assistance and availability of local match. Non dues-paying members will not be eligible for these matching grant funds.

**Task D-1 Regional Housing Needs Assessment**

**15% of work program\***

The RPC is due to update its Regional Housing Needs Assessment in 2018. This task will support approximately 20% of the cost of updating the Assessment. We will seek other grant funding and use local dues as needed to fund the balance of the project cost, estimated to be \$8500. The regional

housing needs assessment is an important resource for communities to understand and establish goals regarding workforce housing needs. It serves the following purposes: (1) It is a mandated function of New Hampshire Regional Planning Commissions under RSA 36:47.II., (2) by statute is intended to assist municipalities in the preparation of the housing chapter of their local master plans (RSA 672:2, III(1); (3) it assists communities in determining compliance with the State's workforce housing law (RSA 674:58-61), and (4) it supports the implementation of the RPC Regional Master Plan goals and recommendations for housing and economic sustainability.

\*Percentage of total work effort anticipated for each task under the Targeted Block Grant Program. The final percentage of effort may vary by 10 percent, plus or minus.

## **2. MEETINGS AND REPORTS**

### **A. Meetings**

RPC agrees to meet with OEP, as needed, at dates and times to be set by OEP and the Regional Planning Commissions. The purpose of the meeting(s) is to review the performance of the Agreement's work tasks and any other related issues.

### **B. Quarterly Reports**

Written reports shall be submitted to OEP no later than thirty (30) days after the end of each quarterly period. Quarterly reports shall document all work tasks and include any accompanying documentation of the work products contained in this Agreement that were completed during the quarterly period. The quarterly reports will be due in each state fiscal year by October 30; January 30; April 30; and July 20.

**EXHIBIT B - FEES**  
**TARGETED BLOCK GRANT PROGRAM**  
**Rockingham Planning Commission (“RPC”)**

**1. CONTRACT PRICE**

In consideration of the satisfactory performance of the RPC, OEP agrees to pay the Agreement price not to exceed \$11,111.00 per State fiscal year, which is hereinafter referred to as the "Fee." It is understood and agreed by the parties hereto that payment of the Fee shall constitute full and complete payment for the performance of the work tasks and for all RPC’s expenses of any kind including, but not limited to, payments for travel, subsistence and project overhead.

**2. PROGRAM BUDGET**

<b>Task Name<sup>1</sup></b>	<b>FY18 State Funds</b>	<b>FY18 Leveraged Funds</b>	<b>FY18 Total Funds</b>
Task A – GIS Support	\$3,311	\$3,311 (UPWP Funds)	\$6,712
Task B – Development of Regional Impact Review	\$1,000	\$1,000 (UPWP Funds)	\$2,000
Task C – Matching Planning Grant to Member Municipalities	\$5,000	\$6,500 (Local Match)	\$11,500
Task D – Municipal Training and Education Program	\$1,800	\$1,800 (RPC dues)	\$3,600
<b>Subtotals</b>	<b>\$11,111</b>	<b>\$12,611</b>	<b>\$23,722</b>

<b>Task Name<sup>1</sup></b>	<b>FY19 State Funds</b>	<b>FY19 Leveraged Funds</b>	<b>FY19 Total Funds</b>
Task A – GIS Support	\$3,311	\$3,311 (UPWP Funds)	\$6,712
Task B – Development of Regional Impact Review	\$1,000	\$1,000 (UPWP Funds)	\$2,000
Task C – Matching Planning Grant to Member Municipalities	\$5,000	\$6,500 (Local Match)	\$11,500
Task D – Regional Housing Needs Assessment Update	\$1,800	\$1,800 (RPC dues)	\$3,600
<b>Subtotals</b>	<b>\$11,111</b>	<b>\$12,611</b>	<b>\$23,722</b>

<sup>1</sup>Based upon the percentage of total work effort anticipated for each task under Exhibit A - Services. The final percentage may vary by 10 percent, plus or minus.

**3. PAYMENT AND INVOICING**

The Fee shall be paid as provided below:

<b>Cost Categories<sup>2</sup></b>	<b>FY 18 State Funds</b>	<b>FY 18 Leveraged Funds</b>	<b>FY18 Total Funds</b>
Salaries	\$4,654	\$5,312	\$9,966
Direct Costs	\$500	\$500	\$1,000
Indirect Costs <sup>3</sup>	\$5,957	\$6,799	\$12,756
<b>Subtotals</b>	<b>\$11,111</b>	<b>\$12,611</b>	<b>\$23,722</b>

<b>Cost Categories<sup>2</sup></b>	<b>FY 19 State Funds</b>	<b>FY 19 Leveraged Funds</b>	<b>FY19 Total Funds</b>
Salaries	\$4,654	\$5,312	\$9,966
Direct Costs	\$500	\$500	\$1,000
Indirect Costs <sup>3</sup>	\$5,957	\$6,799	\$12,756
<b>Subtotals</b>	<b>\$11,111</b>	<b>\$12,611</b>	<b>\$23,722</b>

<sup>2</sup>The final division by cost category may vary by 10 percent.

<sup>3</sup>Indirect Costs are based upon the current approved indirect rate by the cognizant agency or as subsequently amended. Any subsequent amendments to the indirect cost rate by the cognizant agency shall be submitted in writing to the Office of Energy and Planning and the budget amended correspondingly.

**A. Quarterly Invoices**

Using their standard invoice, RPC shall submit requests for payment no later than thirty (30) days after the end of each quarterly period. Invoices will be based on actual project expenses incurred during the invoicing period and shall show current and cumulative expenses by major cost categories. Relevant supporting documentation of current and cumulative expenses shall be submitted with each invoice.

OEP shall issue payment to RPC within 30 days of receipt of a quarterly invoice upon submission and acceptance by OEP of the quarterly report.

**B. Final Invoice**

The final invoice for each State fiscal year shall be submitted to OEP no more than 20 days after the grant completion date. OEP shall issue payment to RPC within 30 days of receipt of the final invoice for each State fiscal year upon submission and acceptance by OEP of the quarterly report.

**EXHIBIT C – SPECIAL PROVISIONS**  
**TARGETED BLOCK GRANT PROGRAM**  
**Rockingham Planning Commission (“RPC”)**

This Exhibit is left intentionally blank.

# ATTACHMENT 5

## MEMORANDUM

TO: RPC Commissioners

FROM: Bylaws Working Group (Barbara Kravitz, Mike Turell, Tim Moore and Cliff Sinnott, Exec. Dir.); Executive Committee

DATE: April 12, 2017

SUBJECT: **DISTRIBUTION OF REVISED DRAFT BYLAWS**

---

### Background

Attached are the revised Draft Bylaws for the RPC that the Bylaws Working Group has been developing over the past 6 months or so. The charge of the Working Group was to review and revise the Bylaws as needed to accomplish the following:

- ensure consistency in Standing Committee language
- incorporate the MPO structure and membership distinctions into the bylaws
- clarify, update and correct outdated or incorrect references as needed
- address inactive members of committees and commissioners
- address other needed changes that become evident during the review

### Amendments

The changes taken in aggregate are extensive enough that what is now proposed is a complete readoption of the agency Bylaws, rather than to track and assign dates to each change individually. Most of the changes are not substantive with respect to agency mission, organization or operation but rather involve moving, reorganizing and ensuring internal consistency of the Bylaws. The following summarizes the substantive changes that are being proposed:

1. Creates a consolidated Addendum of historical notes regarding the agency's establishment and designation and moves it to the Appendix.
2. Removes rules of procedure specific to particular committees from the Bylaws and to separate appendices. (Appendixes 1 & 2)
3. Adds the Metropolitan Planning Organization and defined its relationship to the RPC. Added references throughout the document as necessary. (I-3, III-3, numerous others)
4. Establishes process to inform appointing authority if a representative in the event of multiply unexplained absences from meetings. (III-4)
5. Further specifies the duties of Officers, especially Treasurer and Secretary. (IV)

6. Corrects several inconsistencies with RSA91-A, including proxy voting. (V-1)
7. Clarifies that non-dues-paying member representatives can have designated alternates for MPO participation (V-2)
8. Clarifies that Commissioner alternates can serve as Executive Committee members. (VI-2)
9. Changes the minimum numbers of commissioners require to petition for a special meeting from 7 to 12. (VIII-1)
10. Removes the requirement the public hearing notices be published in the newspapers of general circulation in the region and inserts the requirement that the notice be posted on the agency website, at the commission office in a public place, and in Towns)where the hearing will take place. (VIII-4)
11. Specifies basic procedure for the combining of Commission and MPO Policy Committee meetings
12. Corrects references to audit and auditor terminology, and further specifies the Treasurers role. (X-3)
13. Formalizes the process by which the Executive Committee or Commission can establish Ad-Hoc committees. (XI-Part 1)
14. Clarifies that members of all standing committee are appoint by the Executive Committee except where membership is otherwise determined in the Bylaws (i.e. TAC, Personnel, Nominating and Executive Committees) and enables the Nominating Committee to propose nominations (XI-Part 2-2&3)
15. Makes technical revisions to the Executive Director search process to conform to current practice. (XII-4)

### Next Steps

The Bylaws are being distributed on April 12<sup>th</sup> in accordance with our Bylaw amendment procedures which require that the membership receive bylaw amendments in writing at least 30 days prior the meeting at which they will be acted upon. The Executive Committee reviewed the new Bylaws at their March 22<sup>nd</sup> meeting, made a number of changes and approved distributing them as amended to the full Commission to begin the 30 day review process. The Executive Committee will review them once again at their May 17<sup>th</sup> meeting and may have further changes to be proposed as amendments to the draft. The Bylaws will be voted on at gthe next Commission meeting which takes place on May 24<sup>th</sup> (off schedule to accomodate the Search Committee's calendar).

**UPDATE: With the May Commission meeting rescheduled to May 10, the vote to approve the Bylaw amendments has been postponed to the July 12 Commission meeting to allow for the minimum 30 day review period required in our existing Bylaws.**

**Rockingham Planning Commission**

**DRAFT REVISED BYLAWS**

**March 22, 2017**

## TABLE OF CONTENTS

SECTION	PAGE
Article I Name of Organization & Area Served.....	B-2
Article II Authority & Purpose .....	B-2
Article III Membership .....	B-3
1. Members .....	B-3
2. Representatives .....	B-3
3. MPO Policy Committee Representatives .....	B-3
4. Attendance at meetings .....	B-3
Article IV Officers.....	B-4
Article V Quorum & Voting .....	B-4
Article VI Election and Removal of Officers & Executive Committee Members .....	B-5
Article VII Adoption and Amendment of Bylaws .....	B-5
Article VIII Meetings and Hearings .....	B-6
Article IX Order of Business .....	B-6
Article X Finances .....	B-6
Article XI Part 1: Ad Hoc Committees .....	B-7
Part 2: Standing Committees .....	B-7
1. General Procedures.....	B-7
2. Executive Committee .....	B-8
3. Nominating Committee .....	B-9
4. Personnel Committee .....	B-9
5. Regional Master Plan Committee .....	B-9
6. Legislative Policy Committee .....	B-9
7. Developments of Regional Impact Committee.....	B-10
8. Transportation Advisory Committee.....	B-10
Article XII Employees .....	B-11
Article XIII Saving Clause.....	B-12
Adoption and Amendment History.....	B 12
APPENDICIES .....	B-13
ADDENDUM Agency History.....	B-13
Appendix 1 Procedures – Developments of Regional Impact Comm.....	B-14
Appendix 2 Procedures – MPO Technical Advisory Committee .....	B-18

**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 be allowed as permitted under the applicable provisions of RSA 91-A, provided that the proxy is received in writing and where the agenda items and related resolutions for which the proxy applies are not amended.

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 July 1 - 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; and (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;
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 Executive Committee of 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 formed which shall include the Chair, other members of the Personnel Committee, one or members of the Executive Committee including the Personnel Committee and up to three (3) other members of the Commission, municipality or outside stakeholder organization. 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; and 12/14/2016.

**The RPC Bylaws were readopted in their entirety on May \_\_\_\_, 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 filled 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.