

The Town of Alexandria, New Hampshire

Conservation Commission Bylaws

Adopted October 24, 2007

Revised December 27, 2009

Revised August 24, 2011

Revised April 27, 2016

Revised April 26, 2017

Revised April 28, 2021

I. Name of Organization

The name of the organization shall be the Alexandria Conservation Commission, hereinafter referred to as the "ACC".

II. Source of Authority

The ACC was established by vote of the Alexandria Town Meeting in March 1972, pursuant to RSA 36-A. A vote at the Alexandria Town Meeting in March 2007 ratified its existence per RSA 36-A:2 with full rights and powers under this RSA, which include receipt of gifts of money or property in the name of the Town, subject to the approval of the governing body.

III. Mission Statement

The Mission of the ACC is the promotion of public awareness and the protection of our natural resources.

IV. Membership

A. A full Commission shall consist of seven members and two alternates, all appointed by the Select Board. The members shall be residents of the Town of Alexandria. After the original appointments, members shall be appointed for three-year terms and so arranged that approximately one third of the members' terms expire yearly on the 30th of April. A letter to the Select Board requesting an appointment extension for an additional three (3) years is required and must be approved to continue serving beyond the term expiration date.

B. New Members will be appointed by the Select Board. The ACC shall maintain a standing membership of no less than three members. In the event of a vacancy, the ACC may make a recommendation to the Select Board. A vacancy shall be filled for the remainder of the unexpired portion of the original appointment. In the event a vacancy is filled by a new member appointed within six (6) months of the term expiration, no letter requesting an extension of the appointment will be required. In the event the vacancy is filled by an Alternate during the initial twelve (12) months of his/her appointment, no letter requesting an extension of the appointment will be required. In both instances, the original term expiration date will remain; however, the term may be extended an additional three (3) years at the time of expiration by a majority vote of the ACC.

C. A member of the Select Board may serve as a liaison member on the ACC and shall be empowered to review and vote on any issue before the ACC.

D. The ACC may have two alternates with the same requirements as regular members. Alternates shall attend meetings. When a regular member is unable to attend a regular or special meeting, the alternate shall be empowered to review and vote on any issue before the ACC with the same requirements as regular members.

E. The ACC may have two Junior Members who are residents of the town of Alexandria and are of the age of thirteen (13) through the age of eighteen (18). Junior Members must be recommended by at least one (1) member of the ACC and appointed by the Select Board. Appointments shall be for a term of one (1) year and may be extended for successive terms by a majority vote of the ACC. The position of Junior Member shall be a non-voting position and not eligible to hold office; however, may serve on committees as the chairperson may assign.

F. The ACC may appoint Associate or Advisory members. Such members shall not have voting rights but may attend and serve on committees as the chairperson may assign.

V. Termination

A. No member or alternate member of the ACC shall be removed by the Select Board before the end of his/her term without a public meeting for demonstration of cause, except as provided for in paragraphs B and C below, in which case no public meeting is required.

B. The Select Board shall declare the position vacant if a member is no longer a resident of Alexandria.

C. Members shall strive to attend all meetings and shall notify the Chairperson, Vice Chairperson, or Secretary in advance when unable to attend a meeting. If a member misses three (3) consecutive meetings with no contact with the Chairperson, Vice Chairperson, or

Secretary, this shall be evidence of non-interest. The ACC shall vote to recommend to the Select Board that the member be removed from the ACC.

D. A vacancy of a regular member of the Alexandria Conservation Commission may be filled by a duly appointed alternate Commission member by a majority vote of the regular members subject to terms and provisions set forth in IV.B of this document.

VI. Organization

The ACC shall hold an annual organizational meeting in April of each year. The ACC shall review the bylaws and elect by majority of vote one of its members as Chairperson, a Vice Chairperson, and a Secretary. The term of office is one year. Any officer may be eligible for up to three (3) consecutive terms and may be elected to the same position for additional terms provided that no more than three (3) terms are consecutive.

VII. Role and Duties of Officers

A. The Chairperson shall provide organization and direction; have regular interaction with the Select Board; review meeting agendas; preside over all meetings and hearings; appoint committees; and prepare a yearly budget and an annual report in collaboration with the Secretary for review and approval of the full ACC. The yearly operating budget must be prepared enough in advance of budgetary reviews scheduled by the Town to allow ample time for review by Commission members prior to the date of submission established by the Town. The year-end annual report shall be distributed to the Commission members for review no later than the 10th day of January, and the approved report forwarded to the Town no later than the 3rd Monday of the month of January. The Chairperson may delegate duties to accomplish work of the ACC and promote education and leadership. As directed by the ACC, the Chairperson may affix his/her signature in the name of the ACC to all approved plans and correspondence from the ACC.

B. The Vice Chairperson shall preside at all meetings of the ACC in the absence of the Chairperson and shall have all powers of the Chairperson in case of temporary absence or incapacity of the Chairperson. Working with the Chairperson, he/she shall prepare a yearly budget and prepare and file an annual report with the Town, to be included in the annual Town Report.

C. The Secretary shall post notices of all meetings and notify members of any special meetings; record minutes of meetings and hearings; distribute copies to ACC members and appropriate Town officials; prepare and distribute agendas for all meetings after review of the agenda by the Chairperson; manage incoming and outgoing correspondence; and oversee a filing system. The Secretary will work with the Chairperson and Vice Chairperson on the

Annual Report. The Secretary shall act as Chairperson in the absence of the Chairperson and the Vice Chairperson and in such instances shall affix his/her signature to all plans approved by the ACC on behalf of the ACC.

VIII. Members and Their Duties

A. Each member of the ACC shall carry out the duties and function of the ACC as set forth in these bylaws and under RSA 36-A. Members shall familiarize themselves with NH state land use regulations and Handbook for Municipal Conservation. Members are encouraged to attend at least one educational event each year.

B. Regular members are expected to attend all regular and special meetings, work sessions, public meetings, and joint meetings conducted by the ACC. If a member cannot be present at a meeting, he/she shall notify the Chairperson, Vice Chairperson, or Secretary prior to the meeting he/she is unable to attend. If a member chooses to be recusant for a particular agenda item, the Chairperson shall appoint an alternate member to act in the place of the member on that agenda item.

C. An alternate member shall be expected to follow the same duties as the regular member in regard to meetings and will notify the Chairperson, Vice Chairperson, or Secretary prior to the meeting if unable to attend.

D. Junior Members are expected to follow the same duties as the regular members in regard to meetings and will notify the Chairperson, Vice Chairperson, or Secretary prior to the meeting if unable to attend.

E. Members of the ACC may serve on other municipal boards, committees, or commissions. However, unless specifically acting at the direction of the ACC, actions and opinions expressed as a member of other municipal boards, committees, or commissions do not necessarily constitute the opinion of the ACC, nor should they be represented as such.

IX. Meetings

A. The ACC shall hold meetings at least once a month or more often depending on the workload. All meetings are open to the public at the Town Offices or at any other place in the Town of Alexandria as posted. Regular meetings will generally be held on the last Wednesday of each month and will generally start at 6:30 p.m. Agenda items not addressed during the regular meeting hours may be held over until the next regular meeting by a majority vote of the members present. Whenever a quorum is not present, the regular meeting may continue for discussion purposes, but no decisions or votes shall be made or considered.

B. Public notice giving date, time, and place of all meetings shall be posted at two (2) public places in the Town at least twenty-four hours in advance of the meetings, excluding Sundays and legal holidays. A schedule of such meetings shall be posted at the town office building and on the town's website.

C. Records of meetings shall be taken and shall include the names of members in attendance; persons appearing before the ACC; a brief description of the topics discussed; and a record of any action taken, and any decisions made, including results of site walks taken. Such minutes shall be available for public inspection in accordance with RSA 91-A. All votes shall be recorded.

D. A majority of the current regular membership of the ACC shall constitute the quorum necessary to transact business at any meeting. A motion, duly seconded, shall be passed by a majority of members present, voting in the affirmative, once a quorum has been established. If the vote is not unanimous, the minutes of the meeting shall indicate members who are in favor, opposed or abstaining.

E. Meetings shall be conducted in accordance with Robert's Rules of Order generally and the order of business shall be as specified on the agenda but shall also make provision for new business that any member may introduce. The order of business at each regular meeting may be as follows:

Call to Order

Approval of minutes of the previous meeting

Financial report

Consideration of applications for permitting

Referrals to or from Town Boards or Commissions

Old Business

Special reports

New Business

Adjournment

X. Special Meetings

A Special Meeting may be called by the Chairperson or at the request of a majority of the regular members. In accordance with RSA 91-A:2, the ACC shall give proper notice, 24 hours in advance, to its members and the public. At any Special Meeting, no business other than that specified in the notice may be considered.

XI. Work Sessions

Work Sessions of the ACC shall be held when required and shall be open to the public, with proper notice given as above. Their focus will primarily be on committee work and general planning. The Work Sessions procedures will follow guidelines noted under Section IX.

XII. Site Walks

Any ACC member may make a motion for the ACC to conduct a site walk in order to verify information provided by an applicant, abutters, or other interested parties. If a quorum of the ACC attends a site walk, members present on the site walk and a brief summary of the observations shall be included in the minutes of the next regular meeting or work session.

XIII. Petitioners

If any applicant or duly authorized representative is not present at a meeting at which his/her agenda item is to be considered, a member of the ACC may make a motion to table the item until the next regular meeting or, in the case of wetland permit applications, request the State Wetlands Bureau to hold its review for forty (40) days to allow review by the ACC. If there is a second occurrence of non-representation regarding the same item when the Chairperson announces the agenda item, a member of the ACC may make a motion to recommend denial of the request based on lack of representation.

XIV. Public Hearings

A. A Public Hearing shall be held by the ACC to inform citizens about a topic, solicit opinions, and assist members in making a decision based on the best information possible. At a public hearing, a proposal is presented, and proponents and opponents state their views. ACC members may question speakers, but others must address questions to the Chairperson. This allows for general questions and discussion.

B. Public Hearings shall be required prior to spending Conservation Funds for the purchase of real property.

C. Notification of all public hearings shall be posted in two (2) public places in the Town and published in a local newspaper at least ten (10) calendar days prior to the date of such hearings in accordance with RSA 675:7. The minutes shall record the names of those persons testifying and/or presenting evidence.

XV. Wetlands Activity Review

Wetlands Activity Review will be performed by the regular members and alternate members. The ACC may monitor the site implementation of an approved wetlands application in accordance with its natural protection duties under RSA 36-A:2. Policies and procedures governing Wetland Activity Reviews are contained in the Policy & Procedures Auxiliary Document hereby made a part of these Bylaws.

XVI. Gravel Pit Review

The Chairperson shall receive a copy of all Applications for a permit for Excavation (sand and gravel) under RSA 155-E and all notices for Public Hearings. Policies and procedures governing Gravel Pit Reviews are contained in the Policy & Procedures Auxiliary Document hereby made a part of these Bylaws. The ACC may provide written recommendations to the Planning Board regarding each Permit.

XVII. Committees

Special purpose and standing committees shall be appointed by the Chairperson. All members and alternates are eligible for committee appointment. Non-residents and non-commission individuals may serve on committees in an advisory capacity and shall have full voting privileges in matters regarding committee decisions.

XVIII. Finances

The Town Treasurer shall have custody of all monies in the conservation fund and shall pay funds for the ACC in accordance with the Town accounting procedures. The ACC fund may be used for anything authorized by RSA 36-A. For an acquisition of any interest in real property, a public hearing must be duly noticed and held. Ultimately, any purchase or acceptance of real property must be approved by the Select Board before proceeding.

XIX. Bylaws Adoption and Amendments

The ACC may amend these Bylaws at a regular meeting by an affirmative majority vote of the ACC. Amendments must be presented in writing to each member and alternate of the ACC at least 28 days prior to the meeting at which the vote will be taken.

XX. Waiver of Rules

The ACC may vote to waive any requirements of these Bylaws by majority vote of the ACC taken at a meeting with a quorum present when it is determined that such a waiver will properly carry out the purpose and intent of these rules and will be in accordance with all pertinent laws.

At the regular meeting of the Alexandria Conservation Commission on October 24, 2007, these Bylaws were adopted by unanimous vote and were revised on December 17, 2009 and adopted by unanimous vote.

At the regular meeting of the Alexandria Conservation Commission on August 24, 2011, these Bylaws are revised by unanimous vote.

At the regular meeting of the Alexandria Conservation Commission on April 27, 2016, these Bylaws are amended and revised by unanimous vote.

At the regular meeting of the Alexandria Conservation Commission on April 26, 2017, these Bylaws are amended and revised by unanimous vote.

At the regular meeting of the Alexandria Conservation Commission on April 28, 2021, these Bylaws are amended and revised by unanimous vote.