

# **BYLAWS OF THE WOLFEBORO CONSERVATION COMMISSION**

## **Town of Wolfeboro, New Hampshire**

### **Article 1 – Name**

The name of this organization shall be the Wolfeboro Conservation Commission, hereinafter called the "Commission."

### **Article 2 – Source of Authority**

These Bylaws are adopted in furtherance of the powers granted under authority of RSA 36-A.

### **Article 3 – Purpose**

The purpose of the Commission shall be to ensure the proper utilization and protection of the natural resources, ecosystems, scenic vistas and open spaces of Wolfeboro; to protect the watershed resources of Wolfeboro; and to further an awareness and understanding of conservation practices and policies throughout the Town and region.

### **Article 4 – Duties and Functions Relative to Purpose**

The Commission shall:

1. Under New Hampshire statutes and Town ordinances as from time to time amended, related to dredge and fill applications (RSA 482-A), wetlands designation (RSA 482-A:15), sand and gravel excavations (RSA 155-E) and forest management (RSA 31:110-113).
2. Monitor LCIP and Town-held conservation easements as required.
3. Keep records, prepare a yearly budget and file an annual report.
4. Manage Town-owned properties under Commission jurisdiction.
5. Advise other Town bodies on conservation matters as required or requested.
6. Perform other functions as required by applicable statutes and ordinances.

### **Article 5 – Real Property Interests**

#### ***5:01 Acquisition and Nature***

Interests in real property may be acquired in the name of the Town by the Commission by gift, purchase, grant, devise, lease, or otherwise. Such interests may include the fee interest, any lesser interest, development right, easement, covenant or other contractual right, including conveyances with conditions, limitations or reversions, or water rights.

#### ***5:02 Purpose of Acquisition***

The purpose of acquiring interests in real property for conservation is to maintain, improve, protect, limit the further use of, or otherwise conserve and properly utilize open space and other land and water resources within the Town.

### ***5:03 Approval and Holding***

The acquisition of any interest in real property for conservation purposes, whether by gift or purchase, shall be subject to the approval of the Board of Selectmen, and upon approval, shall be received in the name of the Town and administered by the Commission.

### ***5:04 Management and Control***

The Commission shall manage and control all interests in real property acquired for conservation purposes in accordance with the purposes of the Commission, subject to the review of the Board of Selectmen.

## **Article 6 – Money and Personal Property**

The Commission may receive and acquire money and personal property, or interests therein, in furtherance of the purposes of the Commission.

## **Article 7 – Finances**

### ***7:01 Conservation Fund***

A vote of the Town Meeting in March 2006 authorized the transfer of Current Use Change Tax funds to the Conservation Fund. The purpose of the Fund is to allow the Commission to receive, accumulate, and expend any moneys for the purposes as described in RSA 36-A.

### ***7:02 Accounting Procedure***

The Town Treasurer or his/her designee shall have custody of all moneys of the Commission and shall expend same only upon order of the Commission or its authorized agent, in accordance with Town accounting procedures.

## **Article 8 – Membership**

### ***8:01 Member Appointment***

The Commission shall consist of no more than seven (7) regular members, all residents of Wolfeboro and U.S. Citizens, and appointed by the Board of Selectmen. The Commission may recommend new members to the Board of Selectmen.

The Board of Selectmen may appoint alternate members to the Commission. If appointed, alternate members of the Commission may join the regular members in all meetings, public hearings and may vote if fewer than seven regular members are present and if authorized to do so by the Chairman.

### ***8:02 Terms of Office***

Terms of the members shall be for a period of three (3) years and so arranged that approximately one third of the members' terms will expire yearly. Newly appointed and sworn members shall commence their terms at the time of appointment by the Board of Selectmen and swearing in.

### ***8:03 Vacancies***

Any vacancy occurring other than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

### ***8:04 Duties of Members***

Each member of the Commission shall carry out the duties and functions of the Commission as set forth in these Bylaws and under RSA 36-A. They shall serve on standing and ad hoc committees as requested by the Chairman. Members shall strive to attend all meetings and to notify the Chairman or Secretary in advance when unable to attend a meeting.

## **Article 9 – Officers**

### ***9:01 Chairman***

The Chairman shall be elected by and from the regular members in April of each calendar year, or at the first regular monthly meeting following annual member appointments by the Board of Selectmen. The Chairman shall serve a term of one year until his or her successor is chosen and qualified, and may be reelected for successive terms.

The duties of the Chairman shall be to call meetings; to prepare the agendas with the Secretary in advance; to call the meeting to order and preside over all meetings and public hearings; to appoint any committee found necessary to carry out the business of the Commission; to appoint the leaders of any such committee and to prepare an annual report in collaboration with the Secretary for review and approval of the Commission.

### ***9:02 Acting Chairman***

In the absence of the Chairman at a meeting, the members present shall elect an Acting Chairman, who shall preside at the meeting and shall have all powers of the Chairman.

### ***9:03 Secretary***

The Secretary may be an employee of the Town of Wolfeboro appointed in accordance with Town procedures.

The duties of the Secretary shall be to post notices of all meetings and notify members of any special meetings; to oversee minutes of all meetings and hearings; to distribute copies to Commission members and appropriate Town officials; to oversee the preparation and distribution of agendas for all meetings after approval of the agenda by the Chairman; to manage incoming correspondence; prepare outgoing correspondence; and to oversee the management of a filing system for the Commission.

## **Article 10 – Meetings**

### ***10:01 Regular Meetings***

Regular meetings of the Commission shall be held on the second Monday of each month unless otherwise determined by the Commission. Whenever a quorum is not present, the regular meeting shall be deemed to be adjourned and rescheduled to the following Monday.

### ***10:02 Special Meetings***

The Chairman may call a special meeting of the Commission, provided that at least 24 hours notice of the time, place, and business of such meeting is given to each member of the Commission; and provided that the special meeting is given public notice in accordance with RSA 91-A:2. At any special meeting no business other than that specified in the notice may be considered. A special meeting shall be called by the Chairman upon receipt of written request of a majority of regular members.

### ***10:03 Public Hearings and Informational Meetings***

The Commission may hold a public hearing to inform citizens about an issue, solicit opinions, and assist members in making a decision based on the most complete information possible. At a public hearing a proposal is presented and proponents and opponents state their views. Commission members may question speakers, but others address questions through the Chairman. An informational meeting is less formal and allows for more general questioning and discussion. Notification of each public hearing shall be posted in two public locations 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. A record shall be kept of those persons testifying and/or presenting evidence at such hearings as part of the hearing minutes.

### ***10:04 Place of Meetings***

Unless otherwise specified in the notice of the meeting, meetings of the Commission shall normally be held in the Town Hall Annex Meeting Room of the Wolfeboro Town Hall.

### ***10:05 Notice of Meeting***

Public notice of all meetings of the Commission shall be posted at two (2) public places at least twenty-four (24) hours in advance of the meetings.

### ***10:06 Quorum***

The Commission shall only conduct a meeting and transact business when a quorum is present. A quorum shall be four members; provided, however, that at any special meeting of the Commission called for the sole purpose of review of one or more applications for a permit, a quorum shall be three members.

### ***10:07 Majority Vote***

Determination on any matter before the Commission shall require the vote of a majority of members at a meeting.

### ***10:08 Records of Meetings***

All Commission meetings shall have clear, concise, accurate, and timely records as described in RSA 91-A:2, II.

### ***10:09 Right-To-Know Law***

All meetings of the Commission shall be held in accordance with the provisions of RSA 91-A, as amended, relating to meetings open to the public, nonpublic sessions, notification of meetings, and records of meetings and hearings.

***10:10 Conflict of Interest***

No member of the Commission shall vote on any motion, resolution, or issue in which that member is an abutter or has a personal or pecuniary interest, direct or indirect. Any member of the Commission who has such an interest in any matter that comes before the Commission shall fully disclose all the relevant facts prior to the consideration of the matter by the Commission.

**Article 11 – Bylaw Adoption and Amendments**

The Commission may amend these Bylaws at a regular or special meeting provided that the amendment has been presented in writing to each member of the Commission at least two days preceding the meeting at which the vote is taken.