

821 Exeter Development Commission
(Original Ordinance 5-68 dated 5/14/68)

The declared intent and purpose of this ordinance is to establish the Exeter Development Commission in the Town of Exeter, for the purpose of encouraging the welfare of local industries, promoting the establishment of new industries and promoting the general business and economy of the Town of Exeter.

821.1 The Act:

An ordinance relative to the establishment of the Exeter Development Commission is hereby ordained by the Selectmen of said Town of Exeter as follows:

An ordinance relative to the establishment of the Exeter Development Commission is hereby ordained by the Selectmen of said Town of Exeter as follows:

- a. The Development commission shall consist of nine (9) qualified members who shall be residents of the Town of Exeter. They shall be appointed by the Board of Selectmen for a term of four (4) years. The Chairman of the Board of Selectmen, the Chairman of the Planning Board and the Town Manager shall also serve as ex-officio members of the Exeter Development Commission whose terms shall correspond to their respective tenure of office.
- b. The Development Commission may appoint a Development Specialist for the promotion of industry and the economy, and shall have the authority to expend funds, within its appropriation, to carry out the purposes set forth in this ordinance.
- c. All ordinances or sections of ordinances, inconsistent herewith, are repealed.

821.2 Statement of Policy:

It shall be the policy of the Exeter Development Commission to protect and promote the industrial, commercial and general economic progress of this area in every way consistent with its By-Laws, the regulations and ordinances of the Town of Exeter and the laws of the State of New Hampshire. In general, the Commission proposes to work within the framework of the following eight-point program to be undertaken in concert with other agencies, both local and otherwise, for the establishment of plans and programs consistent with well defined, balanced economic growth.

- a. To assist in the retention and expansion of existing industries and businesses in that area;
- b. To assist in developing new industries and businesses of the types which can supply and support those already established in the area;

- c. To assist in attracting new and diversified industries and businesses which will help to bring the economy of the area into better balance;
- d. To initiate and assist in developing, whenever deemed possible, relative to all important matters affecting the industrial business economy of the area and community particular;
- e. To establish a cooperative and coordinated effort involving all organizations and individuals interested in the industrial and business development of the community and area.
- f. To publicize Exeter and the area as a good industrial and business location;
- g. To work toward the general improvement of the business climate of Exeter and the area;
- h. In promoting the economic progress of the area the Commission shall give first consideration to the Town proper. However, since the political boundaries of the Town do not coincide with its economic boundaries, the Commission deems it necessary to work on a board basis.

821.3 By-Laws:

- a. Name: This organization shall be known as the Exeter Development Commission.
- b. Objectives: This Commission is established to foster and protect the industrial, commercial and general economic progress of the Town of Exeter and the Seacoast Area.
- c. Membership: The membership of the Exeter Development Commission shall consist of nine members to be appointed by the Board of Selectmen of the Town of Exeter. It shall be necessary that members of the Commission be residents of the Town of Exeter. The Chairman of the Board of Selectmen, Chairman of the Planning Board and the Town Manager shall be ex-officio members of the Commission.
- d. Officers: The officers of the Exeter Development Commission shall be a chairman, a vice-chairman and a secretary who shall be elected by a vote of the membership for a one year term, but may be re-elected to such additional terms as is desired by the membership.
- e. Duties of the Officers:

1. The Chairman shall preside at meetings, shall appoint committees as

deemed necessary, and shall carry out such other duties as are assigned to him by the vote of the membership.

2. The Vice-Chairman shall preside at meetings and generally carry out the duties of the Chairman in his enforced absence, or upon his request.
3. The Secretary shall keep a true and accurate record of meetings and shall present it to the membership. Monthly reports will be made to the Selectmen.
4. The Officers of the Commission, within the appropriation of the Town of Exeter, shall be authorized to hire qualified personnel for the purpose of economic development and shall determine compensation, subject to a majority vote of the committee and subject to the rules and regulations covering expenditure of funds of the Town of Exeter. Said Agent of the Commission shall be the Chief Administrative Officer and shall have the power to appoint and discharge all other staff employees. Said agent shall be responsible to the Commission through the Chairman.

f. Committees:

1. The Chairman shall appoint all committees unless otherwise specified by vote of the members.
2. The authority and duties of such committees shall be determined by the resolution authorizing their appointment.
3. Persons appointed to committees need not be members of the Exeter Development Commission.

g. Meetings:

1. The annual meeting of this committee shall be held during the month of October of each year on a date to be determined by the Chairman. A majority of the membership shall constitute a quorum.
2. Meetings shall be held at such other times as the Chairman may determine, or upon request of a majority of the members, but notice of said meeting shall be given to members at least three (3) days prior to the date of the meeting. A majority of the membership shall constitute a quorum.
3. Any committees appointed by the Chairman are empowered to hold meetings at which a majority shall constitute a quorum. No committee shall have the power to put into effect any policy involving the Commission until such policy has been approved by a majority of the membership.
4. All meetings shall be conducted under Roberts Rules of Order.

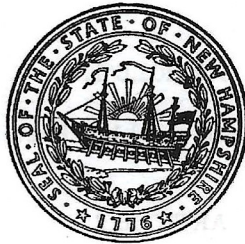
h. Funds: Funds for the operation of the Commission shall be requested of the Town of Exeter and any appropriations received shall be expended according to the rules and regulations of the Town. Nothing herein shall be construed to mean that the Commission is prevented from accepting funds from other sources provided that it is consistent with the rules and regulations of the Town of Exeter and the policies of this Commission.

i. Finance Committee: The commission shall appoint a Finance Committee for the approval of vouchers for payment authorized by the Commission. The Committee shall consist of three (3) members and approval of payment vouchers shall require signatures of at least two (2) members of the Finance Committee.

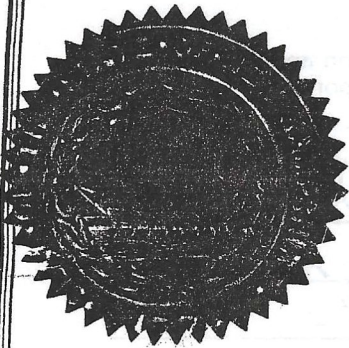
j. Amendments: These By-Laws may be amended by a majority vote of the members present at any regular meeting, or any special meeting called for that purpose or by membership referendum provided that proposed amendments, alterations or repeals shall be plainly stated in the call for the meeting, which must be sent out at least three (3) days prior to the meeting at which they are to be considered or seven (7) days prior to the closing of the referendum ballot.

State of New Hampshire

OFFICE OF SECRETARY OF STATE



I, ROBERT L. STARK, Secretary of State of the State of New Hampshire, do hereby certify that the following and hereto attached Articles of Agreement of the EXETER DEVELOPMENT COMMISSION have been recorded in the Records of Voluntary Corporations, Volume 754, Page 84.



In Testimony Whereof, I hereto set my hand and cause to be affixed the Seal of the State, at Concord, this 11th day of February A.D. 195.....

Robert L. Stark
Secretary of State

THE STATE OF NEW HAMPSHIRE

ARTICLES OF AGREEMENT
OF
EXETER DEVELOPMENT COMMISSION

A VOLUNTARY CORPORATION ESTABLISHED UNDER THE
PROVISIONS OF CHAPTER 292 REVISED STATUTES ANNOTATED

The undersigned, being persons of lawful age, associate under the provisions of RSA Chapter 292 of the Laws of New Hampshire to form a charitable corporation.

ARTICLE 1.

The name of this corporation shall be "Exeter Development Commission."

ARTICLE 2.

The object for which this corporation is established, is to foster and promote the growth and prosperity of the Town of Exeter, New Hampshire; to attract trade and industry to the community; to relieve and reduce unemployment; to promote and provide for additional and maximum employment; to improve and maintain job opportunities; to carry on scientific research for the purpose of aiding the community by attracting industry, and encouraging the development of, or retention of, industry in the community; and to act in the public interest.

ARTICLE 3.

The principal place of business of this corporation is Exeter, New Hampshire.

ARTICLE 4.

This association is a non-profit voluntary corporation and there is no capital stock, and in the event of dissolution of the corporation all assets shall become the property of the Town of Exeter.

Name

Address

Paul J. Hartman
Thomas M. Newlin
John E. Bice
A. L. Wright
Robert Phelan

Robert Newlin
Exeter, N.H.
Exeter N.H.
Exeter, N.H.

STATE OF NEW HAMPSHIRE

OFFICE OF THE SECRETARY OF STATE

Filed for record this 11th

day of February 19 75

at 9:00 A.M. o'clock

Robert F. Thayer
SECRETARY OF STATE

BY LAWS

of

EXETER DEVELOPMENT COMMISSION

1. NAME: The name of the corporation is Exeter Development Commission.
2. PURPOSE: The object for which this corporation is established, is to foster and promote the growth and prosperity of the Town of Exeter, New Hampshire; to attract trade and industry to the community; to relieve and reduce unemployment; to promote and provide for additional and maximum employment; to improve and maintain job opportunities; to carry on scientific research for the purpose of aiding the community by attracting industry, and encouraging the development of, or retention of, industry in the community; and to act in the public interest.
3. OFFICES: The principal office of the corporation shall be located in the Town of Exeter, County of Rockingham, State of New Hampshire.
4. SEAL: The seal of the corporation shall be circular in form with the words Exeter Development Commission inscribed upon its face.
5. The seal shall be in the custody of the clerk and may be affixed to all instruments which the directors of the corporation are authorized to execute in its name and in its behalf, and shall be affixed to all documents which will require a seal by law.
6. A. DIRECTORS: The possessions, property and affairs of the corporation shall be governed by a board of twelve directors.

6. B. TERM OF OFFICE: The terms of the board of directors shall be for a period of three years after their initial election so that the election of the board of directors shall be staggered.

7. A. ELECTION OF DIRECTORS: A member of the board of selectmen of the Town of Exeter; a member of the Planning Board of the Town of Exeter; and the town manger of the Town of Exeter; shall be designated each year as directors of the corporation by the board of selectmen of the Town of Exeter to be effective at the annual meeting of the corporation.

7. B. The incorporators shall originally elect seven members to the board of directors of the corporation; three for a term of one year; two for a term of two years; two for a term of three years; effective at the annual meeting of March 1975. Thereafter, all the directors of the corporation shall elect these seven directors for three-year terms on a staggered basis and these directors shall be identified as "corporate directors".

7. C. The selectmen of the Town of Exeter shall elect two additional directors: one for a term of two years; one for a term of three years effective at the annual meeting of March 1975. Thereafter, the selectmen shall stagger the election of these two directors for three-year terms and these directors shall be designated as "public directors".

8. QUALIFICATIONS OF DIRECTORS: The board of directors shall be chosen from among tax payers in the Town of Exeter, voters in the Town of Exeter, or regular employees or directors of establishments in the Town of Exeter. The qualifications of the members of the board of directors shall be determined by the selectmen. Any director who fails to qualify shall forfeit his right to be a director on notice of the selectmen.

8. A. The board of directors shall be elected at the annual meeting of the corporation after their original election.

8. B. In the event of death, resignation, incapacity or failure to meet qualifications of a director, the board of directors shall have the right to appoint a replacement for the unexpired term of such director.

9. COMPENSATION OF DIRECTORS: The directors shall serve without compensation.

10. A. AUTHORITY OF DIRECTORS: The directors shall manage the affairs of the corporation and shall appoint, elect and employ such agents or officers who may be necessary and convenient to carry out the purpose of the corporation.

10. B. The directors shall, except as otherwise provided herein, act in all matters and elections by a majority vote of those present at any regularly convened meeting at which a quorum is present and may also act by written direction of a majority of the directors without meeting. A quorum shall consist of a majority of the directors.

10. C. The directors shall be empowered to do all things authorized by law for voluntary corporations, and title to all property acquired shall vest in the corporation.

10. D. The directors shall have full power in behalf of the corporation to buy, sell, lease, mortgage, or exchange any real estate at any time forming a part of the assets of the association, in such manner, at such time and upon such terms and conditions as they may deem proper, and by their appointed agent, make, execute, and deliver good and sufficient deeds, leases, mortgages or other instruments necessary in respect thereto.

11. ELECTION OF OFFICERS: The president, secretary, treasurer, clerk and vice-president, shall be elected at the annual meeting of the corporation and shall hold office for one year or until their successors are chosen.

12. PRESIDENT: The directors shall elect a president who shall be the chief executive officer of the corporation.

13. VICE-PRESIDENT: The directors may elect a vice-president who shall have power and duties of the president in his absence.

14. TREASURER: The directors shall elect a treasurer, and he shall keep full and accurate accounts of the receipts and disbursements of the corporation; he shall deposit all monies and valuables in the name of the corporation in such depository as may be determined by the directors; he shall pay out the funds of the corporation as may be ordered by the directors, taking proper vouchers and receipts therefore and shall render to the president and board of directors at regular meetings of the directors, or at such other times as the directors shall order, an account of the transactions, and of the financial condition of the corporation.

15. CLERK: The directors may elect a clerk who shall attend all sessions of the directors, and keep and record a true record of all votes of the board of directors.

16. SECRETARY: The directors shall elect a secretary who shall attend all sessions of the directors and keep all records of meetings of the board of directors and shall handle correspondence and notices on behalf of the board of directors.

17. DELEGATION OF DUTIES: In case of absence of any officer of the corporation, or for any other reason that may seem sufficient to the directors,

they may delegate for the time being, the powers and duties of such officer to any other officer or director.

18. CHECKS AND DRAFTS: All checks, drafts or orders for the payment of money, notes and acceptances, shall be signed by the treasurer of the corporation, or such other officer or officers as the board of directors may authorize or direct.

19. ANNUAL MEETING: The annual meeting of the corporation shall be held on the second Tuesday of March of each year in the principal office of the corporation in the Town of Exeter, New Hampshire, unless the directors shall choose another location and a time for such meeting.

20. NOTICE OF MEETING: Notice of the annual meeting shall be mailed to each director at his or her address as the same appears on the records of the corporation at least one day prior to the date of the meeting. In the event of failure of notice of the annual meeting by the secretary, then a special meeting may be held thereof, upon the same number of days notice and at the same place, and all action taken at said meeting shall have the same effect and validity as such annual meeting.

21. DISSOLUTION OF CORPORATION: Upon the dissolution of the corporation, the board of directors shall, after paying or making provision for paying all the liabilities of the corporation, dispose of all the assets of the corporation exclusively for the benefit of the Town of Exeter, New Hampshire, in such manner as the board of directors shall determine.

22. AMENDMENTS: The directors by two-thirds vote may amend or limit these by-laws providing notice is contained in the call of the meeting.

23. AMENDMENT OF BY LAWS: The right of the board of directors to amend the by laws shall not apply to paragraph 21 and paragraph 22, and said paragraphs of the by laws shall remain inviolate.