



Public Meeting Guidance for Local Advisory Committees

Local Advisory Committees (LACs) and Local River Subcommittees (LRSs) are statutorily required to hold public meetings. Requirements for public meetings are dictated by [RSA 91-A](#), the “Right-to-Know” law. These requirements ensure that public business is conducted openly, securing the greatest possible public access to actions, discussions and records of public bodies. This document provides answers to common questions regarding the rules for public meetings and their exceptions.

How far in advance of our meeting do we need to post the event?

Public meetings must be posted in two locations at least 24 hours before the meeting is being held (excluding Sundays and legal holidays). NHDES posts LAC/LRS meetings on the [LAC website](#), therefore the LACs/LRSs are responsible for posting their meetings in one other location. This can be online or in hard copy. LACs/LRSs with their own websites or webpage must post meeting notices or a link to where the notices can be found on the site or page. Facebook, town or planning commission websites/notice boards, or other watershed organization websites are also places where meetings can be posted if the LAC/LRS does not have its own website or webpage.

Our LAC/LRS has a permit review subcommittee. Do we have to post when they are meeting?

LAC/LRS meetings must be posted when there is a quorum. By default, quorum is reached when more than half of the committee is in attendance, but LACs/LRSs may determine a different quorum standard in their bylaws. If LAC/LRS subcommittees are less than the determined quorum, these meetings do not need to be posted. Subcommittee meetings with attendance less than quorum are not considered public meetings and therefore are not subject to the rules described here. They may occur entirely online, do not require minutes and do not need to be open to the public.

What are the rules for hybrid meetings? How does electronic attendance impact quorum?

All members attending the meeting electronically must be able to see and hear and must be seen and heard by the other meeting attendees. If you are holding a hybrid meeting, meeting attendance must reach quorum *and* have at least one-third of the total committee physically present at the meeting location. For example, if you have 12 representatives on your committee and would like to host a hybrid, public meeting, there must be at least four representatives at the physical meeting location and at least seven representatives attending the meeting total.

Members of the public must also be allowed to participate remotely. In addition, any votes must be taken as roll call votes.

What is an emergency meeting?

An emergency meeting is held when immediate action is imperative and the physical presence of a quorum is not reasonably practical within the period requiring action, as determined by the chair. The committee must post a notice of the time and place of the emergency meeting as soon as possible and the minutes of the meeting must clearly state the need for the emergency meeting. The requirements of physical quorum, as stated above, do not apply to emergency meetings. Emergency meetings may be held entirely online. The LAC/LRS may choose to hold an emergency meeting if they are reviewing a permit application that requires immediate comment, if weather conditions make it unsafe to seek physical quorum, or any reason the chair deems appropriate that the committee cannot reschedule the meeting to address.

Is the LAC/LRS required to follow Robert's Rules of Order?

[Robert's Rules of Order](#), also known as Robert's Rules or Parliamentary Procedure, are a set of rules designed to ensure meetings are efficient, organized and that all meeting attendees are equally represented. It is not required that LACs/LRSs follow Robert's Rules, however most committees do, or at least take inspiration from the rules. Some of the key elements of Robert's Rules are:

- An impartial chairperson must be present to preside over the meeting.
- The majority vote rules.
- Only one business item may be discussed at a time, and only one motion may be on the table at one time.
- All members have equal rights and privileges.
- The meeting follows an agenda.

Is the LAC able to speak privately when the public is attending a meeting?

Yes, the LAC/LRS may elect to move into a non-public session. Non-public sessions must be voted on by the committee and allow the LAC/LRS to move into a private room or request that non-LAC/LRS members exit the meeting area. Non-public sessions are typically utilized when discussing sensitive or confidential information such as personnel issues, property sale agreements, legal consultation, or the location of endangered species or archeological artifacts. The LAC/LRS must vote to exit the non-public session and notes taken during this session should not be included in public minutes. Minutes taken during a non-public session should be voted on separately. A two-thirds vote is required to withhold non-public session minutes from being publicly shared. This vote must be recorded in public session. If it is determined that the minutes will be released, they must be posted within 72 hours of the vote.

Are we allowed to interrupt public comments to keep the meeting productive?

While LACs/LRSs are required to host public meetings, this does not mean the LAC/LRS is required to allow public discussion. Public meetings allow community members to listen to meeting proceedings, and when appropriate or requested, provide comments. If your meeting is becoming unproductive due to public discussion, the LAC/LRS holds the right to end the discussion and move the meeting along.

What is required to be included in our meeting minutes?

The basic requirements of public meeting minutes are as follows:

- The names of those in attendance, both on the committee and from the public.
- Motions made and voting results, including the names of the members who made and seconded the motions.
- The date, location, start time and end time of the meeting.
- Who wrote the minutes*.

When you are writing your minutes, keep in mind who will be reading them, whether that be members of the public, new LAC/LRS members, or your future selves. Minutes should reflect not only what decisions were made, but also *why* they were made. Include all relevant discussions and provide abbreviated background information or links to supporting documents. Draft meeting minutes should be available to the public no later than five days after the meeting. If your LAC/LRS has its own website or contracts with a third party to maintain a website on its behalf, minutes should be posted there, or a notice should be posted stating where members of the public may request copies of the minutes.

** If an artificial intelligence (AI) tool was used to write the minutes, be sure to note this. While these tools are helpful, it is wise to have a committee member monitor the tool while it is running and take hand written notes of the motions made and voting results. Include the name of the person who reviewed and edited the AI written minutes.*