DMO Public-Board Meeting Notice and Minutes Set (Maine and New Hampshire)

Template — not legal or financial advice. Whether an open-meeting law applies depends on how your organization was created and who controls it. Ask your municipal attorney or counsel. Your charter, bylaws, and funding agreements may add rules.

For other public boards: general notice and minutes forms for Maine, New Hampshire, and Massachusetts public bodies are in the Seacoast templates (https://preparedboard.com/seacoast/templates/public-meeting-notice) (minutes (https://preparedboard.com/seacoast/templates/public-meeting-minutes)). This set adds the DMO questions and agenda items.

Part A. Does the open-meeting law apply to our board?

Many DMOs are private nonprofits and are not public bodies. Others are town, county, or regional bodies, or are owned by one. Tick what applies and take the result to counsel.

Maine (1 M.R.S. §402(2)). "Public proceedings" include the transactions of functions affecting citizens by, among others:

☐ A board, commission, agency, or authority of a county, municipality, or regional or other political or administrative subdivision

☐ An advisory organization established, authorized, or organized by law, resolve, or executive order (unless exempted)

New Hampshire (RSA 91-A:1-a, VI). A "public body" includes, among others:

☐ A board, commission, committee, agency, or authority of a county, town, municipal corporation, or other political subdivision, or a committee or advisory committee to one

☐ A corporation whose sole member is the state, a county, a town, a municipal corporation, or another political subdivision, and that the IRS has determined is tax-exempt under section 501(c)(3)

Result: [ ] Likely a public body — use Parts B and C **[ ] Likely not — counsel confirmed on [date]; the board may still choose open meetings as a practice**

Part B. Meeting notice

Maine rule (1 M.R.S. §406): notice in ample time to allow public attendance, given in a way reasonably calculated to notify the public in the area the body serves. **New Hampshire rule (RSA 91-A:2, II):** post the time and place in 2 appropriate places (one may be the website) or in a newspaper

of general circulation, at least 24 hours ahead excluding Sundays and legal holidays; nonpublic sessions need notice too.

NOTICE OF PUBLIC MEETING

Body: [DMO / tourism board name] Board of Directors

Date: _____ **Time:** _____

Location: _____ (in-person location the public may attend)

Remote access (if offered): _____

Topics expected to be discussed:

1. Call to order; roll call
2. Public comment (if on the agenda)
3. Approval of minutes of _____
4. Financial report: funding received vs. forecast; spending by permitted use
5. [Annual budget adoption / budget amendment]
6. [Marketing or advertising contract award: _____]
7. [Grant awards: _____ program]
8. Funding agreement reporting due _____
9. Possible executive / nonpublic session under [ME: 1 M.R.S. §405(6)(__)] [NH: RSA 91-A:3, II(__)]
10. Adjourn

Posted by: _____ **Date and time posted:** _____

Posted at: (1) _____ (2) _____

Part C. Minutes

Maine (1 M.R.S. §403): at minimum the date, time, and place; members present or absent; and all motions and votes, by member if there is a roll call; made within a reasonable time and open to inspection. An audio or video recording also satisfies the rule. **New Hampshire (RSA 91-A:2, II):** names of members and people appearing, a brief description of each subject and final decisions, start and end times, who moved and seconded each motion, and who produced the minutes; open to inspection not more than 5 business days after the meeting.

[DMO name] Board of Directors — Minutes of Public Meeting

Date: _____ **Place:** _____ **Started:** _____ **Ended:** _____

Minutes produced by: _____

Members present: _____ **Members absent:** _____

Others appearing before the board: _____

Item	Brief description of	Motion (moved /	Vote (by name if	Final decision

	discussion	seconded)	roll call)	
Minutes of _____				
Financial report				
Budget				
Contract award				
Grant awards				

Conflicts declared: _____ (name, item, and whether the member left the room and did not vote)

Executive / nonpublic session: motion read aloud citing the specific provision; vote recorded; time in and time out; [NH: any decision made and any vote to seal the minutes].

Minutes approved on: _____

DMO tips

- Grant awards and contract awards are where conflicts come up. Ask for conflict declarations before each award item, and use the related-party and vendor conflict policy (https://preparedboard.com/templates/hospitality-related-party-vendor-coi-policy).
- Keep the funding agreement's reporting dates on the agenda; see the DMO funding agreement compliance checklist (https://preparedboard.com/templates/dmo-funding-agreement-compliance-checklist).

Related: Governing a destination organization (https://preparedboard.com/guides/dmo-tourism-board-governance) · DMO annual board calendar (https://preparedboard.com/templates/dmo-annual-board-calendar) · Seacoast open-meeting basics (https://preparedboard.com/seacoast/open-meetings).

Sources: 1 M.R.S. §402 (https://legislature.maine.gov/statutes/1/title1sec402.html) · 1 M.R.S. §403 (https://legislature.maine.gov/statutes/1/title1sec403.html) · 1 M.R.S. §406 (https://legislature.maine.gov/statutes/1/title1sec406.html) · RSA 91-A:1-a (https://gc.nh.gov/rsa/html/VI/91-A/91-A-1-a.htm) · RSA 91-A:2 (https://gc.nh.gov/rsa/html/VI/91-A/91-A-2.htm)