



Peggy's Cove Commission Governance

Mandate: The purpose of the Commission is to preserve the unique scenic beauty, character and atmosphere of the Area for the enjoyment of both residents and visitors.

1. Composition of Peggy's Cove Commission

- (a) The Peggy's Cove Commission shall consist of:
- I. the municipal councillor for the electoral district that includes Peggy's Cove;
 - II. one representative of the Department of Economic Development;
 - III. the Provincial Director of Planning;
 - IV. not more than four additional members appointed by the Governor in Council, three of whom shall be residents of the Peggy's Cove Preservation Area.
- (b) The Governor in Council may designate one member of the Commission to serve as Chair and one member to serve as Vice-Chair;
- (c) The Commission shall designate one member of the Commission or one (non-voting) member to serve as Secretary;
- (d) The Commission shall appoint ex-officio members (non-voting) to the Commission for a term no longer than the term of the Governor in Council Commissioners.

2. Terms of Office

- (a) Each member of the Commission appointed by the Governor in Council holds office for such term as is prescribed by their appointment.
- (b) A member of the Commission who is a member by virtue of their position or office ceases to be a member when they cease to hold that position or office.
- (c) Each member of the Commission appointed by the Governor in Council can end their appointment by submitting a signed letter of resignation to the Chair. In the event of the resignation of the Chair, the letter shall be submitted to the Vice-Chair.

3. Commission Meetings

- (a) A meeting of the Peggy's Cove Commission shall be held within four months following the appointment of Governor in Council Commissioners or as soon as conveniently possible thereafter.
- (b) There shall be at least four meetings of the Commission each year at the call of the Chair.
- (c) All meetings of the Commission shall be conducted according the most recent version of Robert's Rules of Order.
- (d) All development applications and by-law proposals must be subject to a recorded vote (by motion), which shall be listed in the Commission minutes.
- (e) Each Commissioner with the exception of the non-voting ex-officio members are entitled to one vote during Commission meetings.
- (f) No proxy voting shall be permitted.
- (g) All motions must receive a majority of votes to be considered approved. In the event of a tie, the motion shall be deemed not to have received a majority of votes and therefore the motion fails.
- (h) In the event that the chair and the vice-chair of the Commission are absent, the Commissioners who are present and entitled to vote at the meeting shall choose one of their number to chair the meeting provided quorum is maintained.

4. Quorum

A majority of the voting members of the Peggy's Cove Commission shall constitute quorum for a meeting.

5. Annual Public Meeting

- (a) The Commission shall hold a public meeting at or near Peggy's Cove not later than the 30th day of June in each year on a date designated by the Commission.
- (b) 30 days' notice of the Public Meeting shall be made to the general public and residents through at least two forms of media, which may include posting on the Commission's web site, print advertisement, and/or other forms of communication. The proceedings of any public meeting shall not be invalidated by accidental failure to give notice to any person.

(c) The Chair shall chair the proceedings of the public meeting or in their absence the Vice Chair. However, the Commission's conflict of interest rules continues to apply in all meeting proceedings.

(d) The following shall be the order of business at the Annual Public Meeting:

- I. Approval of the Minutes of the last Annual Public Meeting;
- II. Report of the Chair on Commission activities for the preceding year;
- III. Remarks from individual Commissioners when appropriate or requested;
- IV. Review of amendments to Land Use By-Laws when applicable;
- V. Report on the Commission's budget;
- VI. Remarks from the incoming Chair when applicable;
- VII. Questions from the floor
- VIII. Adjournment.

6. Roles and Responsibilities

(a) Unless otherwise agreed by the Commission, the Chair shall:

- I. officially represent the Commission on all occasions;
- II. preside at all Commission meetings;
- III. be responsible for the enforcement of all bylaws;
- IV. authenticate by their signature, when necessary, acts, orders, correspondence and proceedings of the Commission and perform such other duties as may from time to time be conferred upon them by the Commission;
- V. preside at all public meetings or information sessions authorized by the Commission;
- VI. act as official media spokesmen for the Commission, and
- VII. review and approve expense claims submitted by Commissioners.

(b) Unless otherwise agreed by the Commission, the Vice-Chair shall:

- I. assume the role of Chair temporarily in the event of a permanent vacancy;
- II. officially represent the Commission on occasions when the Chair cannot attend;
- III. chair meetings in the absence of the chair;
- IV. preside over any Commission meeting if it was deemed it would be a conflict of interest for the Chair to do so, and
- V. review and approve expense claims submitted by the Commission Chair.

(c) Unless otherwise agreed by the Commission, the Secretary shall:

- I. keep an accurate account of formal proceedings of the Commission, and
- II. authenticate by signature, when necessary, acts, orders, correspondence and proceedings of the Commission, and perform other such duties as may be from time to time conferred upon them by the Commission.

7. Records and Transparency

All of the Commission records including copies of meeting summaries shall be maintained at the Department of Economic Development for a period of seven years, after which time all records shall be transferred to the Provincial Archives in accordance with provincial procedures. All official Commission records (with the exception of legal advice, confidential correspondence, and in-camera discussions) shall be open for inspection by any member of the public at any reasonable time during ordinary business hours (electronic disbursement is considered sufficient). The Commission shall make every reasonable effort to provide information on Commission operations on the Commission's web page.

8. Expenditures

All expense claims for Commissioner's reimbursement for travel and parking to attend Commission meetings must be submitted in writing, with receipts whenever possible, to the Chair for approval. In the case of the Chair, those expense claims shall be submitted to the Vice-Chair for approval. All reasonable parking expenses will be reimbursed. Parking meter charges are reimbursable without receipts. Parking and traffic fines are not reimbursable expenses. All expenses must be submitted within three months of the date they were incurred otherwise those expenses shall be considered non-reimbursable. Departing Commissioners must submit their expenses within 30 days of the date of when they were incurred. A record of all Commission expenses shall be compiled at the end of each fiscal year and be made available to the public for review. All other expenditures must be presented to the Commission for approval by recorded vote.

9. Remuneration

Commissioners appointed by Governor in Council shall receive remuneration based on the formula prescribed by the Executive Council Office of the Government of Nova Scotia. Remuneration shall be based on the official attendance kept of Commission meetings and shall be disclosed as part of the Commission's annual expense disclosure.

10. Budget and Fiscal Year

By January the Commission shall submit to the Minister of Economic Development estimates of its projected expenditures for the next fiscal year. The fiscal year of the Commission shall be from April 1st in any year until March 31st of the following year.

11. Conflict of Interest

Commissioner must declare a conflict of interest and recuse themselves from any Commission deliberations under the following conditions:

- I. If a Commissioner personally submits an application to the Commission, or if there is an application submitted from a Commissioner's immediate family (spouse, sibling, child or parent).
- II. If a Commissioner, or a person connected to the Commissioner, may benefit or suffer financially from the decision, bias is presumed.

12. Confidentiality

A Commissioner must not:

- I. disclose or release to any unauthorized person, including a member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except when required by law or authorized by the Commission to do so;
- II. use confidential information for personal or private gain, or for the gain of relatives or any person or corporation;
- III. disclose the content of any matter that has been discussed at an *in camera* meeting, or the substance of such deliberations, until the Commission discusses the information at a meeting that is open to the public or releases the information to the public; or,
- IV. access or attempt to gain access to confidential information in the custody of the Commission unless it is necessary for the performance of their duties and not prohibited by Commission policy.

13. Timing for Application Processing and Correspondence

The Peggy's Cove Commission will try to process Development Permit Applications within **40 days** of receipt. Correspondence to the Commission is required to be in a minimum of a week before the next scheduled Commission meeting to be included in the agenda. Anything received after that, will be included in the following regular scheduled Commission meeting agenda.

14. E-Mail Voting and Teleconference Policy

In the interests of expediency, the Commission shall permit voting to be conducted on routine, minor or urgent Commission business by e-mail provided the following criteria are followed: The motion is presented first to the Chair (or Vice Chair in areas of a conflict of interest) for approval for adherence to this policy and other Commission by-laws.

- I. The motion relates to a matter that is considered routine, minor in nature or requires prompt action prior to the next Commission meeting or was discussed at a previous Commission meeting and it was agreed upon that the matter would be voted on by e-mail.
- II. The matter does not require considerable debate and does not warrant a special meeting of the Commission.

- III. Commissioners vote using the e-mail in which they use for Commission business, copying all Commissioners with 72 hours of the tabling of the motion.
- IV. Quorum for passage of the motion is considered 50 percent plus one of those Commissioners voting. Commissioners who do not submit a reply in the allotted time are considered abstentions.
- V. A formal report of the motion, the mover, seconder, and voting results shall be reported as part of the official minutes of the Commission either forming part of the minutes of the next Commission meeting or as a stand alone record.
- VI. The Commission at the discretion of the Chair can when deemed necessary hold Commission meetings by teleconference. These meetings shall be subject to all the same governance rules as in-person meetings.

15. Complaints Policy

The Commission will accept and investigate complaints provided:

- I. The complaint is in writing;
- II. The complaint relates within the Commission's legislative mandate;
- III. The complaint is made within one year of the event or incident in question;
- IV. The complaint is not anonymous.

The Commission will keep the complaints confidential and will not comment publicly about the specific complaint. The Commission will confirm the existence of a complaint if the party or parties in question consents for the Commission to do so.

The Commission will review any appropriate complaints within 90 days of the complaint being registered with the Commission. The Commission will provide a written response concerning the complaint, describing their proposed actions or decisions regarding the complaint.

The Commission will reconsider their decision in any complaint, provided the complainant requests the Commission to do so in writing.

16. Transition and Orientation Policy

Whenever a new Commissioner is appointed, the Commission shall make copies of the following documents available to the new Commissioner:

- I. The Peggy's Cove Commission Act.
- II. The Land-Use bylaws
- III. The Peggy's Cove Commission Governance document
- IV. Minutes of Commission meetings from the current year
- V. Financial and budget reports

In the event of a change in the Chair, the out-going Chair shall in the interests of an efficient transition meet at least once with their successor for a formal debrief.

17. Amendments to Governance Document

These Commission Governance document may be amended when necessary by a two-thirds majority of the Commission. Proposed amendments must be submitted to the Secretary to be sent out in advance with regular Commission announcements.

Approval Date: December 14, 2023 Effective Date: December 14, 2023

Approved by: Peggy’s Cove Commission
Nicole Campbell, Chair

Chair Signature: 

Administrative changes:

Date of change	Section
December 14, 2023	Title; Department name change; 3h (new paragraph); 8 (updated); 12 new section (Confidentiality); 13 new section (Timing for Application Processing and Correspondence); 16 new section (Transition and Orientation Policy); 17 new section (Amendments to Governance document).