



UNAPPROVED

**COUNCIL MEETING**  
Thursday, September 17, 2009  
Aspen/Birch Ballrooms, Lethbridge Lodge  
Lethbridge, Alberta

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## MINUTES

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### PRESENT

<b>President</b>	Jim Beckett, P.Eng.
<b>President-Elect</b>	Kim Farwell, P.Eng.
<b>Vice-President</b>	Dick Walters, P.Eng., FEC
<b>Past-President</b>	Gordon Williams, P.Geol., Ph.D., (Hon) FEC

<b>Councillors</b>	Mary Ann Byrd, P.Eng., FEC
	Kevin Cumming, P.Eng.
	Jim Gilliland, P.Eng., Ph.D.
	Karen Henry, P.Eng., FEC
	Leah Lawrence, P.Eng.
	Shawn Morrison, P.Eng.
	Ken Porteous, P.Eng., Ph.D., FEC
	Anne Simpson, P.Eng.
	John Van der Put, P.Eng.
	Colin Yeo, P.Geol.

<b>Public Member</b>	Allin Scherbarth, C.M.A.
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<b>Engineers Canada President</b>	Dan Motyka, P.Eng., FEC
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<b>Engineers Canada Executive</b>	Dave Chalcroft, P.Eng., FEC
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<b>Branch Observers</b>	Peter Doell, P.Eng., FEC
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<b>Staff</b>	Neil Windsor, P.Eng., FEC, FCAE, Ex. Director & Registrar
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Al Schuld, P.Eng., FEC, Deputy Registrar  
Len Shrimpton, P.Eng., FEC, Chief Operating Officer  
Sharon Graham, Executive Assistant  
Kate Handford, Calgary Office Supervisor  
George Lee, Manager Editorial Services  
Pat Lobregt, Manager Executive & External Liaison  
Philip Mulder, APR, Manager Communications  
Gary Reavie, CMA, Manager Administration  
Tom Sneddon, P.Geol., Manager Geoscience Affairs

**REGRETS**

**Councillor** Ron Hinds, P.Geoph., Ph.D.

**Councillor &  
CCPG Director** John Hogg, P.Geol.

**Public Members** Gary Campbell, Q.C.  
Arlene Strom, LLB

**Branch Observers**

Joseph Amalraj, P.Eng.  
Sloane Dieken, P.Eng.  
Stephen Huber, P.Eng.  
Kenzie Liefso, P.Eng.  
Bill MacMillan, P.Eng.  
Wayne Manning, P.Eng.  
Craig McFarland, P.Eng.  
Tanvir Sadiq, P.Eng.

**1. CALL TO ORDER AND APPROVAL OF THE MEETING AGENDA**

The meeting was called to order at 8:39 a.m. The President chaired the meeting, and the Executive Assistant recorded the minutes.

***MOVED BY MARY ANN BYRD AND SECONDED BY LEAH LAWRENCE***

***09-33***

***THAT the Meeting Agenda be approved with the addition of Item 5.3.9 Report from the Nominating Committee.***

***CARRIED UNANIMOUSLY***

**2. CONSENT AGENDA**

***MOVED BY ANNE SIMPSON AND SECONDED BY JOHN VAN DER PUT***

***09-34***

***THAT the Consent Agenda be modified with item 2.2.1 lifted to become item 3.1, and item 2.2.3 lifted to become item 3.2.***

***CARRIED UNANIMOUSLY***

**3. BUSINESS LIFTED FROM THE CONSENT AGENDA**

**3.1 Discipline Committee Report**

In response to the comment that sanctions imposed in the past by the Discipline Committee have been relatively minor in the writing of exams and the paying of small fines, the President responded that publishing details of the case in the PEGG could be the most significant component of the discipline.

**3.2 Investigative Committee Report**

Concern was expressed that, in this report, everything is reported on an individual basis, and some pertinent information is missing. It was requested that information be provided on how many cases are now in progress compared to one year ago so that it could be determined if the committee is handling more, less or about the same volume. Unless someone reading this report is prepared to go through detailed statistics it's not possible to determine the time to resolution. It was suggested that a summary spreadsheet be included at the end of this report that tracks that data.

In response to the comment that there are cases on the books that have been there for quite some time, the President responded that in a recent meeting with the Committee Chair it was indicated that the early investigative process has been sped up significantly since the implementation of changes.

#### **4. EXECUTIVE COMMITTEE REPORT**

##### 4.1 September 16, 2009 Executive Committee Meeting

The Executive Director touched on the following key issues from the Executive Committee meeting:

One Act Two Associations Regulation Changes: met with the minister of employment and Immigration at a breakfast meeting in Calgary September 10<sup>th</sup>. The previous day he had signed the regulation changes for the One Act Two Associations model, and it will now go to cabinet very quickly. Once cabinet proclaims the regulation changes, they will go into effect.

Report on Focus Group (voting procedures): Results of a survey on voting procedures as a result of last year's election. Consultants held a number of focus groups and some minor suggestions resulted. Findings showed that most members were in favor of the electronic voting process while a few found that it had been difficult to review all election information online.

The Executive Committee considered the various sponsorship programs offered through APEGGA as well as the criteria involved. There had been a number of inquiries from members last year as to why APEGGA was not represented at the Remembrance Day ceremonies in the laying on of wreaths at cenotaphs across the province. As a result APEGGA will be participating, in conjunction with the branches, at the Remembrance Day ceremonies this year.

A question was raised in regards to item 5.4 of the Executive Committee minutes - Clark Builders Complaint - and clarification requested regarding the process that would be followed in this case.

The President responded that the situation was a process issue. A third party wrote to the President complaining about the process that the Investigative Committee was using in a current case. After considering drafting a letter of explanation from Council to the complainant, the final decision of the Executive Committee was to let the Investigative Committee handle the situation, and Ross Plecash, Director Corporate Affairs & Investigations, responded to the complainant directly. The Executive Committee asked that Mr. Plecash provide a summary of the investigation to them upon completion, in order to identify any possible areas of improvement in the investigative process.

It was asked that the Executive Committee meeting minutes be amended to reflect the actual handling of the situation.

It was suggested that in the context of a governance process where we have public members to call upon to make recommendations to us on process it might be prudent, once a summary of this case is available, to ask the public member on the Investigative Committee to review the details and make recommendations on process change. If such a review and subsequent recommendations were made by Council, it would seem that APEGGA was investigating its own people instead of it being done by an independent third party.

Discussion about the handling of complaints, the investigative process and perceived conflicts of interest followed.

Councillor Leah Lawrence concluded that she wished to be clear about her concern: that when you have someone who has had a complaint against them actually responding to the complaint, regardless of the situation, the perceived conflict of interest is high.

## 5. COUNCIL COMMITTEE REPORTS

### 5.1.1 Changes to Act, Regulations and Bylaws re: CEO and Registrar

Deputy Registrar, Al Schuld, gave a summation of his written report.

**MOVED BY DICK WALTERS AND SECONDED BY KEN PORTEOUS**

**09-35**

*That Council recommend to the membership present and voting at the 2010 Annual General Meeting, the approval of the proposed changes to Section 20 (1) (f) of the Act, Section 29(1) of the General Regulation and upon their approval, amend Bylaw 22 and Bylaws 4(2), 4(3), 5,7(2), 8(4), 9(1), 12(1), 12(3), 12(4), 18(1), 19(3), 21(1), 21(2), 21(3), 28(2), 28(3) to effect the change from Executive Director to Chief Executive Officer, and separate the roles of Chief Executive Officer and Registrar.*

**CARRIED UNANIMOUSLY**

Discussion ensued regarding other organizations and the various titles that they use, as well as other minor changes that would be required in the Act. In response to the question of whether there would be any impact as regards remuneration, the Executive Director responded in the negative.

### 5.1.2 Changes to Regulations re: AIT/TILMA and Automatic Transfers into APEGGA

The Deputy Registrar gave a review of the written report supplied as information and background.

### 5.1.3 General Amendment Regulation

**MOVED BY JOHN VAN DER PUT AND SECONDED BY GORDON WILLIAMS**

*That Council approve the attached draft of amendments to the General Regulation and that this change be recommended to the membership through an appropriate means at the earliest convenience.*

The President gave background information on AIT/TILMA and there was discussion regarding the timelines of the motion.

The Deputy Registrar stated that the reply from Government was received so recently that there was no opportunity to bring it before the Act, Regulations and Bylaws Committee before this Council Meeting.

The Mover and Seconder of the motion agreed to a friendly amendment.

**MOVED BY JOHN VAN DER PUT AND SECONDED BY GORDON WILLIAMS**

**09-36**

*That Council approve the attached draft of amendments to the General Regulation subject to the agreement of the Act Regulations and Bylaws Committee, and that this change be recommended to the membership through an appropriate means, as determined by the Executive Committee, at their earliest convenience.*

**CARRIED UNANIMOUSLY**

5.2\* Finance Committee

The Chair of the Committee, Shawn Morrison, presented an outline of the Financial Summary, Reserve Investment Fund Report, APEGGA Edmonton Facilities Report, the 2010 Budget Assumptions and Order of Magnitude Costs.

In response to a question regarding sponsorships not showing in the 2010 Budget, the President responded that the Vice President, as requested by the Executive Committee, will be looking at the possible establishment of a policy for capital sponsorship requests which could form the basis for future budget forecasts.

It was noted that in light of the anticipated \$700K surplus, the recent 5% increase in dues was troubling. The question was posed as to whether or not the intent was to increase dues every year, to which the President replied that there is no Council policy for any automatic annual increase of dues.

5.3\* Geoscience Committee

The Chair of the Committee, Colin Yeo, presented an overview of the written report, and there was discussion on the funding of CCGP's communication plan, and the proposed national licensure model.

5.3.9 Nominating Committee

Chair, Gordon Williams, gave a verbal report on the first meeting of the Nominating Committee held August 25<sup>th</sup> via video conference at which the initial scope of potential candidates for President Elect/Vice President and for Council was discussed. Contact people were designated and contact had been made by members of the Nominating Committee with a considerable number of potential candidates for both positions. Those who have agreed to be considered in the first step of the nominating process will be evaluated at the next meeting; a face-to-face meeting next week in Calgary. At that point the potential slate of candidates will be ranked, and then contacted by the Chair, and it is expected that a final list of candidates will be available in a week or two

5.4\* Governance Committee

The Chair of the Governance Committee, Gordon Williams, commented on the written report.

The necessity of a Compensation Committee was questioned and the Chair responded that a wide range of possible uses for the Compensation Committee has been examined, and a determination will be made at the next meeting of Governance.

In response to a question asking for the 'cons' that were determined with options one and two, the Chair answered that there had been concern about a disconnect occurring between those doing the appraisal and those setting the compensation. The Committee also wanted to ensure that the Executive Director had the perception of answering to only one body, not two (Council/Executive Committee as well as Governance Committee/Compensation Committee).

In response to the query of whether a Council member or public member could be part of the Compensation Committee, the Chair replied that a public member as Chair of the Compensation Committee would be appropriate.

In answer to the question of whether there should be performance targets, the Chair replied that Performance Appraisals in their current form are quite in depth, with performance objectives, expectations, and evaluations laid out very clearly.

#### 5.5\* Pension Governance Committee

The Chair of the Pension Governance Committee, Gordon Williams, commented on the written report. Manager of Administration, Gary Reavie explained the concern regarding investment returns, and answered questions on procedural issues.

#### 5.6\* Strategic Planning Committee

The Chair of the Strategic Planning Committee, Kim Farwell, commented on her written report. She advised Council that the Committee would be making modifications to their Terms of Reference to update them and make them more relevant to current procedures. The new Terms of Reference will be brought forward at the December Council meeting for approval.

## **6. EXECUTIVE DIRECTOR REPORTS**

### 6.1\* 2009 Business Plan Priorities Progress Report

The Executive Director gave a brief background of this report.

Gordon Williams - in regards to the objective to "Increase the rate and number of licensed geoscientists" (bottom of page two) – questioned the statement, "*Respondents to CSPG survey indicate 80% are licensed by APEGGA*", saying that it was a huge jump from previous surveys showing 50 to 60%. The Manager, Geoscience Affairs stated that the wording should have been, "80% of CSPG members are also APEGGA members". Colin Yeo, Chair of the Geoscience Committee, also commented that there were extenuating circumstances surrounding the surveys as well because not everyone responded to that question, although there may be legitimate reasons for the question being skipped (those working outside of Canada). The Executive Director pointed out that this was still an encouraging increase over past results.

Regarding the Mobility issue discussed at the last Council Meeting, the Executive Director had committed to preparing a document that would show on a State by State basis how States viewed Canadian registration and what was required of Canadian Professional Engineers to be able to practice in those States. It was pointed out that nothing had been received by Councillors to date, and this item was not in the September Agenda.

The Executive Director said that he had committed to this, had not yet completed it, and would get it done shortly.

6.2\* 2010 Business Plan (draft)

The Executive Director gave a concise overview of this plan, and how it drives the budget.

In response to the question of whether or not sponsorships were going to be worked into the plan, and how allotments would be determined, the Executive Director stated that staff is familiar with the types of requests that come in throughout the year and will continue to handle them appropriately, mainly through the Communications budget. It is the larger capital projects that need to be worked into the budget, and the budget will dictate the amount of projects we will be involved in. The President noted that Executive Committee's goal is to have capital sponsorships worked into the upcoming budget.

**MOVED BY GORDON WILLIAMS AND SECONDED BY KAREN HENRY**

**09-37**

**That Council receive this report as information.**

**CARRIED**

6.3\* Outreach Strategy and Short Term Plan

The Chief Operating Officer gave an outline of the strategy and plan.

In answer to questions asked, the Chief Operating Officer gave background information on the Alberta Science Literacy Association as an organization that, years ago, recognized the need to coordinate science networks that were in place. They are provincially funded and are looking to partner with other organizations in order to enhance their programming. Classroom presentations would change very little, and emphasis would still be on having members in the classroom and encouraging kids to see the link between math and science to a career in engineering or geoscience.

ASLA would tap into our volunteer base and expect support from volunteers regarding requests within, as well as outside of APEGGA. Eventually all requests for classroom presentations would come through ASLA, and APEGGA would expect performance reporting of some type in return.

6.4\* National Initiative for Indigenous Peoples Outreach

The Chief Operating Officer gave a summation of the initiative.

**Moved by John van Der Put and Seconded by Mary Ann Byrd**

**09-38**

***That the Executive Director write to Engineers Canada indicating APEGGA's approval of the Integrated Strategy for Outreach to and Engagement of Persons of Indigenous Origin in the Engineering Profession and support for the Agreement in Principle with the Assembly of First Nations and identifying APEGGA's current thinking on other short term activities.***

**CARRIED**

**Opposed: Jim Gilliland**

In discussion the following concerns were mentioned:

- That we don't lose sight of what we have now or let this initiative supersede what we have provincially.
- That we don't have duplication of effort
- The financial support required from constituent members
- Expectations will be generated once we embark upon this road
- There needs to be detail underneath the overall plan and the understanding by all concerned that it can't happen everywhere at once and is going to take a very long time to achieve the objectives
- Would like to see more specific focus on objectives and time frames.
- Accountability for funding, and the challenge in applying "measures of success".
- Initial focus of the program needs to be at the elementary school level and then built on right up through high school

The following points were determined:

- This Strategy is not intended to replace the local strategy on Aboriginals but rather complement what is in place now.
- The goal is not to have overlap, and no duplication is seen at this point, but management will be necessary to ensure that doesn't happen in the future.
- There is no expected financial impact on the budget of the constituent members.
- The strategy is to identify the objectives first and then develop the program from there.
- With the new leadership in the Assembly of First Nations it's a good time to be looking at an agreement in principle and engage with them early on, along with the other indigenous groups and Metis as well.
- The letter would be clear regarding limits, conditions, financial stipulations and measures of success.

It was pointed out that Engineers Canada has had great success in accessing funding from the Federal Government for worthy programs, and because the Government has a primary responsibility for aboriginal peoples in Canada, it would likely look favorably on a united position by a national organization on behalf of aboriginal peoples.

#### 6.5\* 2009-2010 Council and Committee Roster

The 2009-2010 Council and Committee Roster was presented to Council for information, and for approval of Statutory Committee members. It was pointed out that the Audit Committee listing was from last year and would require updating.

**MOVED BY GORDON WILLIAMS AND SECONDED BY COLIN YEO**

**09-39**

**That Council approve the appointments and reappointments for the terms specified in the 2009-2010 Council and Committees Roster for all proposed members of the:**

- **Appeal Board**
- **Board of Examiners**
- **Discipline Committee**
- **Investigative Committee**
- **Practice Review Board**

**CARRIED UNANIMOUSLY**

### 6.6 Joint Meeting of Association CEOs

Neil Windsor reported on a meeting he attended two weeks ago as Executive Director of APEGGA, along with the Executive Director from ASET and their counterparts from Ontario and British Columbia, to talk about synergies. This meeting was initiated by the technologists, and with the support of Barry Cavanaugh, Executive Director of ASET, Mr. Windsor answered a number of questions on how the APEGGA-ASET model was working. The technologists felt that if they could come to an accord with Alberta, BC and Ontario, being three of the largest associations, they could then sell that idea to other technology associations across the country. As an indication of how serious the technologists at the meeting were, they also had the presidents from their associations come to Alberta to meet at the same time, they joined the CEOs for dinner that night, and then everyone participated in the Golf Tournament the next day.

Another meeting has been scheduled in the next month or so to pursue this further. If technologists, engineers, and geoscientists can all be pulled together then we could have one national body and one association in each province then we will have efficiency, consistency and both the professions and the public would benefit.

## **7.\* REPORT FROM ENGINEERS CANADA**

President of Engineers Canada, Dan Motyka, gave some background on the financial status of the organization. The key issues he identified were the Affinity program revenue stream, assessment fees, and the dwindling of the reserve fund. Mr. Motyka said it could be argued that constituent members were benefiting from 79% of the budget while only contributing to 28% of the revenue.

Engineers Canada plans to have a strategic plan in place by May 2010 in which they will reassess their strategic direction, governance, and how the plan will be financed. They will be reviewing whether or not the current assessment fee is appropriate, and if not, how it should be modified and in what manner. They will also be looking into the reliance on Affinity program funding.

Points of discussion included:

Affinity payments are soft money; completely dependant on the take up by members of these programs, and could disappear overnight if the supplier experienced financial difficulty. They are also affected by the fact that each individual association has to make

the decision to opt into the program, and those that choose not to participate continue to benefit from services provided by a revenue stream that they do not contribute to.

Each association is levied a per member fee, but when you take into account the asymmetry of the Affinity payments, it is nowhere near equitable, particularly with the two largest associations, Ontario and Quebec, opting out of the Affinity program.

Alberta is one of the largest contributors to the Affinity program which generates 43% of the revenues that all associations across Canada benefit from. The point was made that we could do a lot of extra things for members in our province if the revenues generated were kept in Alberta.

If Engineers Canada cannot find external funding to justify the National Awareness Campaign, the program will not continue. Ontario and Quebec will only continue to participate in the program should certain conditions be met and they have not been met to date.

Dan Motyka commented that Engineers Canada may not have been as diligent in the past as they should have been in regards to presenting information to the constituent members for approval before proceeding. He said that while nothing can be done about the past, the goal for going forward is that the governance and activities of Engineers Canada, on behalf of the constituent members, be done in complete concert with the intentions of the constituent members.

The opinion was given that the Affinity payments should not be considered as soft money; the three years of data provided regarding money generated by the Affinity program shows that revenues have been fairly stable, and there's no reason to expect that that would change significantly in the future.

It was pointed out that do date there has been a gross disparity of how much weight one association's views have in the overall context relative to the size of their membership, and the size of their assessment.

One problem area from the past has been that if a constituent member did not agree with the actions of Engineers Canada and voted against a particular action, they then felt it appropriate to withhold financial support for that action which leads to the requirement that everybody agree on everything and the quality of decisions descends to the lowest common denominator.

Dave Chalcraft reviewed the findings of the Synergy Task Force. Progress has been made on the first three issues, and in answer to a question about the plan for dealing with the remaining two issues, Mr. Chalcraft answered that starting in December the Task force will start focussing its attention on the governance issues to be followed by the financing issues with the intention that they will still bring a report on findings and conclusions to the Engineers Canada AGM next May. At the Plenary Session, Presidents of the constituent member associations will have the opportunity to have major input into the ongoing deliberations of the Task Force.

**8.\* REPORT FROM CCPG**

John Hogg, P.Geol., Director of CCPG, was not able to attend the meeting, and had no new information to report.

Gordon Williams asked Dan Motyka, President of Engineers Canada, about ultimately moving towards an amalgamation of CCPG and Engineers Canada for reasons of efficiency of time, dealing with issues, and the financial implications. Mr. Motyka acknowledged that the associations are at the node of a great opportunity, and that Engineers Canada welcomes insight on issues to be considered as they put forward a Strategic Plan for approval next May.

## **9. BRANCH CHAIRS' REPORT**

Peter Doell, Chair of the Edmonton Branch, gave a summary of the September 15, 2009 teleconferenced Branch Chairs' Meeting with the following highlights:

- Medicine Hat and Lethbridge have begun presentations to first year engineering and geoscience students.
- The format for the President's visits as a round-table open discussion with permit holders from the branch has been well received.
- Branch activity has been quiet over the summer with the exception of the popular activity of golf tournaments.
- Luncheons were held
- Donations were made to the APEGGA and ASET Education Foundations from various fund raising activities
- Planning is underway for next season's events including President's visits, and luncheon topics, speakers and sponsors
- Correction in the Lakeland Report - only one meeting was held

It is the understanding of the Branches that one of their mandates is to observe Council and report back to their Branch Executive and members. In this regard they wished to express their concern: that on two occasions in the recent past Branch Chairs have been dissuaded from observing Council due to space limitations.

## **10. STRATEGY SESSION**

President Elect, Kim Farwell, led a discussion regarding assessing the need for regulatory change. She explained that this topic was an outcome of discussion from the 2009 Strategic Planning Session regarding the CNRL situation where it was unclear as to what power APEGGA had in situations of this nature.

For purposes of the discussion, all present were encouraged to consider whether or not the Act should be opened to re-drafting in order to manage situations of this nature and address the regulatory aspect of APEGGA's role. It was stressed that this was a strategic exercise not necessarily leading to action, but information gathered would go towards future meetings of the Strategic Planning Committee as well as the next Strategic Planning Session.

**11. COMPLETION OF SELF-ASSESSMENT FORM**

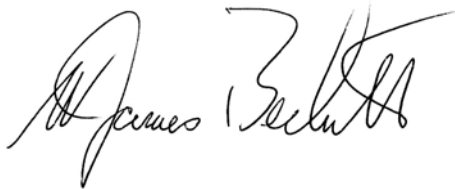
**12. NEXT MEETING**

The next meeting is to be held Thursday, December 3, 2009, in Edmonton.

**15. ADJOURNMENT**

The meeting was adjourned at 2.53 p.m.

**Signed by President, W. James Beckett, P.Eng.**

A handwritten signature in black ink that reads "W. James Beckett". The signature is written in a cursive style with a large initial "W" and "J".

**Signed by Executive Director & Registrar, H. Neil Windsor, P.Eng.**

A handwritten signature in blue ink that reads "H. Neil Windsor". The signature is written in a cursive style with a large initial "H" and "W".