



**APPROVED**

**COUNCIL MEETING**  
**September 22, 2005**  
**Calgary APEGGA Office**  
**Calgary, Alberta**

---

## **MINUTES**

---

### **PRESENT**

<b>President</b>	Larry Staples, P.Eng.
<b>President-Elect</b>	Dave Chalcroft, P.Eng.
<b>Vice-President</b>	Dr. Ken Porteous, P.Eng.
<b>Past President</b>	Linda Van Gastel, P.Eng.

<b>Councillors</b>	Jim Beckett, P.Eng. Chrys. Dmytruk, P.Eng. Kim Farwell, P.Eng. Barbara Howes, P.Eng. Dr. Judith Lentin, P.Geol. Marc Sabourin, P.Eng. Jane Tink, P.Eng. Nick Trovato, P.Eng. Wim Veldman, P.Eng.
--------------------	--

<b>Public Members</b>	Hugh Planche
-----------------------	--------------

<b>CCPE Directors</b>	Darrel Danyluk, P.Eng. Dan Motyka, P.Eng.
-----------------------	--

<b>CCPG Executive</b>	Brenda Wright, P.Geol.
<b>CCPG Director</b>	Julie Aitken, P.Geoph.

**Branch Observers** Daniel Bagheri-Zadeh, P.Eng.  
Sheldon Dattenberger, P.Eng.  
Dr. Ron Hinds, P.Geoph.  
Cal Koskowich, P.Eng.  
Andrew Poole, P.Eng.  
Vic Saari, P.Eng.  
Douglas Wilkins, E.I.T.

**Staff** Neil Windsor, P.Eng.  
Tim Cartmell, P.Eng.  
Penny Colton, P.Geoph.  
Susan Durksen  
George Lee  
Lianne Lefsrud, P.Eng.  
Pat Lobregt  
Philip Mulder, APR  
Milt Petruk, P.Eng.  
Gary Reavie, CMA  
Al Schuld, P.Eng.  
Len Shrimpton, P.Eng.  
Dave Todd, P.Eng.  
Trish Williams

**ABSENT**

**Councillors** Darcie Greggs, P.Geol.  
John Peirce, P.Geoph.  
Kim Sturgess, P.Eng.

**Public Members** Dr. Larry Ohlhauser  
Bill Grace, FCA

**1. CALL TO ORDER**

The meeting was called to order at 8:30 a.m. The President, Larry Staples, P.Eng. chaired the meeting and the Executive Assistant, Trish Williams recorded the minutes.

Gary Reavie, CMA, the new Manager Administration and Tim Cartmell, the new Manager Investigations were introduced to Council.

George Lee, Manager Editorial Services was congratulated for having a freelance article published in the September 22, 2005 Globe and Mail.

Council meeting evaluation forms were circulated to be completed by Councillors for feedback regarding Council meetings and will be discussed during the Caucus Session.

Councillors were encouraged to set a good tone to the meeting by being respectful in their questioning.

Dr. Ron Hinds, P.Geoph. presented the President with a gavel to use when bringing Council to order.

**2. APPROVAL OF AGENDA**

Items 13 and 14 were deleted from the agenda and the following items were added:

- 8.3 C. Annual Performance Review Of The Executive Director
- 8.5 Council Meeting Structure
- 8.6 Report from the Strategic Planning Committee
- 11.2 Affinity Payments
- 11.3 Second Mobility Forum

**MOVED BY N. TROVATO AND SECONDED BY B. HOWES**

**05-43**

***THAT the agenda be approved as revised.***

**CARRIED UNANIMOUSLY**

### **IN-CAMERA MEETING**

#### **3. IN-CAMERA REPORTS**

##### 3.1 Investigative Committee Information Report

The Deputy Registrar presented the Investigative Committee Information Report.

##### 3.2 Practice Review Board Information Report

The Assistant Director Professional Practice presented the Practice Review Board Information Report.

#### **4. REPORT FROM IN-CAMERA MEETING**

There was no report from the In-Camera meeting.

#### **5. CONSENT AGENDA**

The following items were lifted off the Consent Agenda and will be discussed under 11.1:

- Item 5.6.3 Compliance Department Statistics
- Item 5.6.8 Permit to Practice Seminars
- Item 5.6.14 Financial Report

**MOVED BY J. BECKETT AND SECONDED BY J. LENTIN**

**05-44**

**THAT the consent agenda be approved as distributed.**

**CARRIED UNANIMOUSLY**

#### **6. BUSINESS ARISING FROM THE MINUTES**

There was no business arising from the Minutes.

#### **7. EXECUTIVE COMMITTEE REPORT**

##### 7.1 September 21, 2005 Meeting of the Executive Committee

Many of the items discussed during this meeting are on the Council agenda. The following items were also discussed:

- Mega Projects

- Formal request for funding from St. Mary's College in Calgary. It was recommended that funding be refused, but promotion and support would be readily forthcoming.

The Executive Committee also met with the Consulting Engineers of Alberta on September 21 for discussions.

The President encouraged all Councillors to attend at least one Executive Committee meeting during each year.

## **8. COUNCIL COMMITTEE/TASK FORCE REPORTS**

### **8.1 Aboriginal Affairs Committee Terms of Reference**

Jane Tink, Chair of the Aboriginal Affairs Committee reported on the committee activities.

The committee has met twice to date. Two of the members are aboriginal and also members of APEGGA. The committee is presently trying to determine whether or not APEGGA can play a direct role in this issue or support in some way groups already existing. All members of the committee are currently contacting those in the aboriginal community for advice and direction. The committee is also reviewing various programs in consideration of how they may be extended to aboriginals.

**MOVED BY J. TINK AND SECONDED BY K. PORTEOUS**

**05-45**

***THAT the terms of reference for the Aboriginal Affairs Committee be approved.***

**CARRIED UNANIMOUSLY**

### **8.2 Regulatory Task Force**

The Inclusivity Consultation Group met on July 12, 2005. Part of the discussion at that meeting identified the need to better understand our regulatory role. Although the angle on the discussion was somewhat different from the work done so far by the Regulatory Task Force, it is clear that similar issues will need to be addressed to answer the questions posed. During this meeting it was recommended that the ICG be stood down and a new committee developed to address the issues raised. A complementary recommendation was made to stand down the Regulatory Task Force and encourage interested members to continue their efforts as members of the new committee.

**MOVED BY K. FARWELL AND SECONDED BY L. VAN GASTEL 05-46**

***THAT the Council Regulatory Task Force be stood down, and that all documentation prepared to date by that task force be provided to any new committee recommended by the Inclusivity Consultation Group, if and/or when that new committee is approved by Council.***

**CARRIED UNANIMOUSLY**

8.3 Governance Committee

A. Governance Manual

The Governance Committee has been reviewing and revising the Council Governance Manual over the past year. The intent was to make the manual clearer, remove redundancies, and add policy information that appeared to be missing.

**The Governance Committee tabled this revised draft of the manual for Council consideration and intends to bring the document back to Council for approval at the December meeting of Council.** An editorial review of the document is also planned prior to the December meeting, with a view to further improving the clarity and conciseness of the document.

**Various comments and concerns were expressed by Council members and it was requested that these be forwarded to Linda Van Gastel by November 15, 2005 for review by the Governance Committee and for incorporation into the manual.**

**MOVED BY L. VAN GASTEL AND SECONDED BY J. BECKETT 05-47**

***THAT Council receive the revised draft of the Council Governance Manual for review.***

**CARRIED UNANIMOUSLY**

B. Strategic Planning Committee Terms of Reference

The Governance Committee has reviewed the terms of reference of the Strategic Planning Committee and recommended that Council approve them.

**MOVED BY L. VAN GASTEL AND SECONDED BY W. VELDMAN 05-48**

***THAT Council approve the proposed terms of reference for the Strategic Planning Committee.***

**CARRIED UNANIMOUSLY**

C. Annual Performance Review of the Executive Director

During the course of the review of the governance manual, and the terms of reference of council's standing committees, the Governance Committee determined that the annual review of the performance of the Executive Director should be the responsibility of the Executive Committee, rather than the Governance Committee. The revised draft of the manual provides for this, but it is important to approve this change in policy to enable the completion of the 2005 review in a timely manner.

Concern was expressed by Council members that the Executive Committee may not be arms-length enough to perform this task.

**MOVED BY K. PORTEOUS AND SECONDED BY D. CHALCROFT 05-49**

***THAT Council delegate responsibility for the annual performance review of the Executive Director to the Executive Committee with the exception of the Executive Director, to one Public Member selected by the Public Members and to one Councillor selected by the Councillors.***

**DEFEATED (3 IN FAVOUR 8 OPPOSED)**

**MOVED BY L. VAN GASTEL AND SECONDED BY W. VELDMAN 05-50**

***THAT Council delegate responsibility for the annual performance review of the Executive Director to the Executive Committee.***

**CARRIED (7 IN FAVOUR – 6 OPPOSED – There was one abstention.)**

8.4 Inclusivity Consultation Group

At its September 2004 meeting, Council authorized the Inclusivity Consultation Group to develop a program to consult with Members on the concept known as Inclusivity. The ICG subsequently engaged Ipsos-Reid to develop a three part consultation program, which would focus on the White Paper prepared by the ICG and which outlined three options to address the Inclusivity issue, which were:

1. Status Quo
2. Create a new category of Membership between the Professional Member category and the RPT category
3. Re-examine Board of Examiner Policies to study alternate ways of evaluating qualifications for full professional status.

The three part Consultation Strategy developed by Ipsos-Reid was to:

1. Conduct four focus groups to assess the clarity of the White Paper's message
2. Conduct an on-line survey that all members would be invited to respond to the concepts contained in the White Paper.

3. Conduct a scientific telephone survey of 500 members to gauge the opinions of the larger APEGGA membership.

As a result of the feedback from the four Focus Groups, the Inclusivity Consultation Group made the following recommendations to Council:

1. Do not proceed with Phase 2 & 3 of the Ipsos Reid consultation process at this time.
2. The current Inclusivity Consultation Group should be stood down.
3. A new task force should be created to explore other options that are being examined at the national level.
4. Develop a terms of reference for this new task force to be presented to the December Council meeting for consideration.
5. Flesh out the details of Option 3: Re-examine Board of Examiner policies to study alternate ways of evaluating qualifications for full professional status.
  - Form a sub group with Board of Examiner input – suggested sub group membership to include Ken Porteous (Chair), Wim Veldman, Carol Moen, Roger Toogood, Philippe Erdmer and other Board of Examiner members.
6. Communications follow-up:
  - Communicate the outcome of focus group discussions to the membership.
  - Communicate Board of Examiners policies and practices to the membership.
  - Communicate Council's decision to the Board of Examiners

**MOVED BY D. CHALCROFT AND SECONDED BY K. FARWELL      05-51**

***THAT Council approve these recommendations.***

**CARRIED UNANIMOUSLY**

There was consensus that APEGGA should communicate these decisions to the membership. **The President will write a specific report on Council's behalf so that they know unequivocally that Council has been working hard on this issue, have considered this information and has reached these decisions. This report will be published in *The PEGG* and also forwarded as an *E-PEGG*.**

## 8.5 Council Meeting Structure

Information was handed out to Council to clarify the Council meeting structure.

Concerns were expressed regarding various aspects of Council meetings and would be further discussed during the afternoon Strategy Session. **Consensus was that comments should be forwarded to the Past President who would present them to the Governance Committee. The information distributed and the Governance Manual will be edited accordingly and approved at the December 8 Council meeting.**

#### 8.6 Strategic Planning Committee

The 2006 Strategic Retreat will be held from Noon, May 18 – Noon, May 20 at the Village Inn Resort near Pigeon Lake.

### **9. EXECUTIVE DIRECTOR REPORTS**

#### 9.1 Practice Standards Committee

##### 9.1.1 A Guideline of Considerations in Establishing a Consulting Practice

The Practice Standards Committee has revised the document entitled *Considerations before Establishing a Consulting Practice – A Guideline*, originally issued in 1982 and recommends that Council approve it for publication. This revision updates the tone, format, considerations, language, and references.

**MOVED BY C. DMYTRUK AND SECONDED BY B. HOWES 05-52**

***THAT Council approve the :Guideline of Considerations in Establishing a Consulting Practice” subject to editorial changes.***

**CARRIED UNANIMOUSLY**

##### 9.1.2 Professional Liability Insurance

The Practice Standards Committee is concerned that the Insurance Review Task Force's recommendations regarding professional liability insurance, as approved by Council in June 2005, do not adequately protect the public interest. The purpose of the report is to inform Council in what areas these concerns reside.

**This issue will be referred to the Executive Committee for further review.**

**MOVED BY K. FARWELL AND SECONDED BY W. VELDMAN 05-53**

***THAT Council accepts the Practice Standard’s Committee’s comments on liability insurance as information.***

**CARRIED UNANIMOUSLY**

## 9.2 Business Plan

The Association's business plan prepared by staff addresses Council's strategic priorities, staff's operational priorities and the ongoing requirements to keep the business running. It has been reviewed by the Executive Committee, suggestions have been incorporated and was presented for information and comment.

Council was pleased overall with the document and staff was congratulated on a job well done.

## 9.3 Reinstatement/Back Dues

In December 1992, APEGGA Council approved a policy that directed staff to charge back dues as a condition of reinstatement to former members who either voluntarily resigned or were cancelled for non-payment and who practiced in Alberta while not registered. The back dues to be charged were equal to the annual dues for all years or part years the individual practiced in Alberta while not registered.

APEGGA staff recently received a legal opinion from APEGGA's legal counsel advising there is no authority under our legislation to authorize charging back dues in such cases. On the advice of legal counsel that the current Council policy is without authority under the Act, APEGGA staff upon the direction of the Deputy Registrar have changed the administrative practice in connection with reinstatements.

**There was concern that if reinstatement was allowed to an individual who had been practicing illegally over a number of years that it may negate possible disciplinary action. The Deputy Registrar and Director Compliance will address this issue and staff will compile a report with examples to Council regarding action being taken in this area.**

***MOVED BY L. VAN GASTEL AND SECONDED BY K. PORTEOUS 05-54***

***THAT Council rescind the previous 1992 Council Policy, and***

***Affirm the new practice pending any further consideration by Council of the implications of this new practice, and***

***THAT Council ask the Act, Regulations and Bylaws Committee to propose amendments as necessary to permit requiring payment of back dues on reinstatement of membership.***

***CARRIED UNANIMOUSLY***

9.4 Board of Examiners

9.4.1 Dates of Upcoming Board of Examiners' Meetings

Provided for information. **Councillors were encouraged to attend one meeting to obtain a greater understanding as to how the Board operates.**

9.4.2 Board of Examiners Appointments and Re-appointments

The following individuals were proposed for appointment to the Board of Examiners:

Frank Au-Yeung, P.Eng.  
Brad Rieb, P.Eng.  
Dr. Doug Dale, P.Eng.  
Dr. Ron Wong, P.Eng.  
Dr. Ivan Fair, P.Eng.  
Charlie Perry, P.Eng.

**MOVED BY L. VAN GASTEL AND SECONDED BY K. PORTEOUS 05-55**

***THAT Council approve the proposed appointments of the named individuals to the Board of Examiners for the terms indicated.***

**CARRIED UNANIMOUSLY**

It was suggested that the Board of Examiners be expanded to better deal with the increased membership. The Director Registration is presently working on measurements on how long it takes for an application to be processed.

9.5 Council & Committee Roster

As stated in the Act not only the Chairs, but all proposed members of the statutory committees should be approved by Council.

**MOVED BY L. VAN GASTEL AND SECONDED BY B. HOWES 05-56**

***THAT Council approve the appointments for the terms specified in the 2005-06 roster for all proposed members of:***

- ***The Practice Review Board***
- ***The Appeal Board***
- ***The Investigative Committee***
- ***The Discipline Committee***

**CARRIED UNANIMOUSLY**

Upon recommendation by the Executive Committee it was

**MOVED BY L. VAN GASTEL AND SECONDED BY D. CHALCROFT 05-57**

***THAT authority to appoint members to advisory committees and joint boards be delegated to the Executive Director.***

**CARRIED UNANIMOUSLY**

9.6 New Manager Administration – Verbal Introduction

This item was dealt with under Item # 1.

9.7 NCEES – Fundamentals of Engineering Examination

To qualify for registration as an engineer in training in the United States, individuals are required to write and pass an 8-hour technical Fundamentals of Engineering (FE) examination. In 2003, APEGGA entered into an agreement with NCEES making it possible for APEGGA to administer the FE examination on behalf of NCEES in Edmonton and Calgary.

The FE examination is administered twice a year, in April and October. Since October of 2003, 191 APEGGA members have written FE examinations. A total of 190 of the 191 (99.5%) passed with a mean score of 82.1%.

The pass rate of 18,111 US candidates who obtained engineering degrees from "Carnegie category 1" universities on the same examinations and in the same disciplines was 84.1%. Mean score data for this group was not available. Carnegie category 1 universities are those offering a wide range of baccalaureate programs and awarding 50 or more doctoral degrees in at least 15 disciplines.

**10. BRANCH REPORT**

Dr. Ron Hinds, P.Geoph., Chair of the Calgary Branch, presented this report to Council on behalf of the Branch Chairs.

A video link presentation was held on September 13 as a test project. The presentation was on "nanotechnology" and was a success involving other Branches in the presentation which was broadcast in Edmonton. **The Chairs questioned whether a video link could be utilized for the APEGGA Annual General Meeting to Branches which could not attend and if so could this lead to a greater population of members being able to take part in the voting procedure. The Branch Chairs will investigate more into this possibility and welcomed any suggestions from Council to activate this process.**

## 11. OTHER BUSINESS

### 11.1 Items From Consent Agenda

#### 11.1.1 Compliance Department Statistics

Clarification was requested on whether one of the companies mentioned was practicing engineering. Once the issue is concluded an article will be published in *The PEGG* to clarify.

#### 11.1.2 Permit to Practice Seminars

**It was questioned whether there should be separate seminars for engineers and geoscientists due to the variance of issues between the two designations. Any comments pertaining to this will be forwarded to the Manager Corporate & Member Affairs.**

#### 11.1.3 Financial Report

The quarterly financial report was distributed for information.

### 11.2 Affinity Payments

These are the royalties that APEGGA collects from Meloche Monnex and some of the other service providers when they get value from using our membership or our mailing list to distribute or market their products. Past Councils had agreed that the greatest proportion or in some cases, all of those affinity payments would be passed on to the Education Foundation. At the same time APEGGA has been creatively sending money from other areas to the Education Foundation, but the Executive Committee has identified that the foundation is presently short of \$185,000. **The Executive Committee is presently giving thought to how best to handle this situation and will bring a recommendation to Council in December.**

### 11.3 Second Mobility Forum

The President and Executive Director attended the NCEES meeting in Memphis, Tennessee in August and observed that the relationships that APEGGA has been building over the years with state boards are beginning to show results with more respect being shown to the Canadian system and a closer relationship sought.

The Executive Director is also making progress with PNWER and legislators including a joint statement signed last year.

The President recommended that the time had come to harvest some of the investment made over the last few years. He suggested that APEGGA host a one-day mobility forum during the APEGGA Annual Conference and invite NCEES and the US State Regulatory Boards who would in turn invite the legislators who are responsible for the Boards and legislation in the US and who could enable those boards to exercise discretion about accepting professional engineers. Success stories would be presented along with the model law needed in the US to bring about the aspired changes.

Darrel Danyluk, P.Eng. and the Executive Director concurred that the time is right to focus more on mobility as there is a lot of momentum presently occurring with many of the state boards and encouraged Council to support this endeavour. APEGGA has the support of PNWER with the three different resolutions that have come from PNWER over three separate meetings which are unanimously supported by all of the legislators who were there. The last one signed in Victoria in July, 2004 was signed by every jurisdiction in the western zone including senators and representatives and our own minister. PNWER held its Annual Meeting in May, 2005 in Edmonton and is willing to lend its name to the forum if requested. The President of PNWER is prepared to write letters to all of the State Boards to encourage them to participate and will also be attending the forum.

**Since this forum will tie in with the immigrant engineering concept, funding will be sought from Western Economic Diversification, Federal Government along with our own Provincial Government and a budget will be brought back to Council for approval.**

**12. ADJOURNMENT**

The meeting adjourned at 2:35 p.m.