

**APPROVED**

**COUNCIL MEETING**  
**Thursday, November 27, 2003**  
**Edmonton APEGGA Office**  
**Edmonton, Alberta**

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## **MINUTES**

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### **PRESENT**

<b>President</b>	Mike Smyth, P.Eng.
<b>President Elect</b>	Linda Van Gastel, P.Eng.
<b>Vice President</b>	Andy Gilliland, P.Eng.
<b>Past President</b>	Ron Tenove, P.Eng.
<b>Councillors</b>	Julie Aitken, P.Geoph. David Chalcroft, P.Eng. Kim Farwell, P.Eng. Darcie Greggs, P.Geol. Paula Harding, P.Eng. Jack Hole, P.Eng. Barbara Howes, P.Eng. Mike Koziol, P.Eng. John Moldon, P.Eng. Nick Trovato, P.Eng.
<b>Public Members</b>	Hugh Planche
<b>CCPE Directors</b>	Darrel Danyluk, P.Eng.
<b>CCPG Directors</b>	Dr. Gordon Williams, P.Geol. Brenda Wright, P.Geol.

**Branch Observers**

Bob Arthur, P.Eng.  
Darwin Juell, P.Eng.  
Judith Lentin, P.Geol.  
Andrew Poole, P.Eng.

**Staff**

Neil Windsor, P.Eng.  
Ray Chopiuk, P.Eng.  
Penny Colton, P.Geoph.  
Stewart McIntosh, P.Eng.  
Lianne Lefsrud, P.Eng.  
Milt Petruk, P.Eng.  
Ross Plecash, P.Eng.  
Al Schuld, P.Eng.  
Len Shrimpton, P.Eng.  
Dave Todd, P.Eng.  
Mark Tokarik, P.Eng.  
George Lee  
Philip Mulder, APR  
Ginny Nicholson, CMA  
Sandy Roth  
Trish Williams

**ABSENT**

**Councillors**

Ian McIlreath, P.Geol.  
Rob Stewart, P.Geoph.

**CCPE Director**

Dale Miller, P.Eng.

**Public Members**

Larry Ohlhauser  
Dr. Norman Wagner

**1. CALL TO ORDER**

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

**2. ADOPTION OF AGENDA**

The agenda was adopted as presented.

**IN CAMERA MEETING**

**3. IN CAMERA REPORTS**

**3.1 Investigative Committee Information Report**

Stewart McIntosh, P.Eng. presented the Investigative Committee information report.

**3.2 Practice Review Board Information Report**

Ray Chopiuk, P.Eng. presented the Practice Review Board information report.

**3.3 ASET Discussions**

The Minister's decision is still pending.

**3.4 Compliance Reports**

Dave Todd, P.Eng. presented two compliance reports.

**PUBLIC MEETING**

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

The Enforcement Review Committee recommended that Council endorse the action proposed at the APEGGA/Alberta Institute of Agrologists (AIA) meeting; that a joint letter from APEGGA and the AIA identifying specific interpretation of data concerns be sent to Mr. Paton with a response requested in 30 days. Subject to his response further action will be recommended.

**MOVED AND SECONDED**

**03-046**

**THAT Council approve the APEGGA/AIA meeting recommendation.**

**CARRIED**

On November 26 an APEGGA appeal was lost to Raymond E. Merhej, over the misuse of the word “engineer” in his title. This was a milestone case indicating that the EGGP Act is not strong enough to stop violations of this kind.

During the Council meeting the three APEGGA Council Public Members wrote and forwarded a letter to the Minister requesting that either necessary changes to the legislation be made or Government provide a clear statement that it will challenge the results of the appeal so that self-governance of the professions can be effectively sustained.

**An article will be placed in the December/January Pegg informing the membership of the results of this appeal.**

**MOVED AND SECONDED**

**03-047**

**THAT an amendment to the EGGP Act be drafted that will clarify the right-to-title of the protected titles and APEGGA’s legal authority to protect such titles.**

**CARRIED**

## **5. COUNCIL MINUTES SEPTEMBER 11, 2003**

**MOVED AND SECONDED**

**03-048**

**THAT the Minutes of September 11, 2003 be approved as amended.**

**CARRIED**

## **6. BUSINESS ARISING**

There was no business arising from the minutes.

## **7. PLANNING & POLICY**

**7.1 Staff Benefits Committee**  
**– Staff Pension Plan Funding Recommendations**

Due to market value erosion, staff and APEGGA contributions to the pension plan are necessary.

**MOVED AND SECONDED**

**03-049**

***THAT 1) Staff increase their contributions to the pension plan from 3% to 4% of annual salary effective January 1, 2004 and 2) APEGGA contribute \$375K in 2004.***

**CARRIED**

An actuarial review is scheduled as of January 1, 2005, at which time further assessment and recommendations will be forthcoming for 2005 and beyond.

**Further clarification of bullet #3 on page three of the report will be provided to the Executive Committee by the Staff Benefits Committee.**

**7.2 Budget 2004/2005**

**MOVED AND SECONDED**

**03-050**

***THAT the 2004 Budget be approved as presented.***

**CARRIED**

The 2003 fiscal year is expected to show more favourable results than originally projected due primarily to a higher than expected rate of new applications and growth of the Association. Should this trend continue as expected, fiscal year 2004 should also show solid growth in revenues. Consequently, it has been possible to present a balanced budget with no increase in annual fees required.

**8. EXECUTIVE COMMITTEE REPORT**

**8.1 November 26 meeting of the Executive Committee**

The Executive Committee discussed the effects of cost increases when mega projects go over budget. It has been giving the engineering profession an undeserved negative reputation as the increases are due to a lack of construction management in field construction costs not engineering costs. This issue will be further discussed at Executive Committee meetings to determine a course of action.

Bruce Childs, who is APEGGA's auditor, gave a presentation to the Executive Committee in compliance with the new auditing standard of The Canadian Institute of Chartered Accountants (CICA).

The Executive Committee introduced Mr. Sebsibe Asfaw, P.Geol., APEGGA's 40,000<sup>th</sup> member to government at the legislature following the Executive Committee meeting.

A joint executive meeting was held with CEA later in the day when issues including P3s, mega projects, and inclusivity were discussed.

## **9. EXECUTIVE DIRECTOR REPORT**

### **9.1 Member Services**

#### **9.1.1 Criteria Review & Discussion**

The report recommendation was amended as follows:

*APEGGA's Member Services program strives to enhance the value of membership by taking advantage of the buying power that over 40,000 members can provide. To be eligible, a product or service must meet the guidelines approved by Council. The assessment of new products or services is an administrative task whose responsibility lies with APEGGA's staff.*

**MOVED AND SECONDED**

**03-051**

***THAT the recommendation of the Director Corporate and Member Affairs be approved as amended.***

**CARRIED**

Staff was cautioned to be especially mindful of the following three guidelines by which new Member Services should be evaluated:

- Service should maintain integrity and professional standing in the community.
- Service should not detract from professional image.
- Service should not appear self-serving but meet needs of professional members.

**Council will review the actions taken by staff annually to confirm that any new services offered meet the criteria.**

#### 9.1.2 Cellular Phones

Due to Council's concern at the September 11, 2003 Council meeting, each service provider for wireless services in Alberta was approached for competitive offers. Any further items of a sensitive nature will be brought to Council for approval.

**MOVED AND SECONDED**

**03-052**

***THAT APEGGA accept Bell Mobility's wireless service as a new Member Service and to use appropriate means to make APEGGA members aware of the plan that is subsequently available.***

**CARRIED**

#### 9.2 Privacy Information

As of January 1, 2004, new rules will apply to all organizations that collect, use and disclose personal information about individuals. The Deputy Registrar has been appointed as the responsible person for APEGGA and will keep abreast of this matter to ensure that APEGGA is complying with this legislation.

#### 9.3 Permit to Practice Seminar Status

The Director of Corporate and Member Affairs presented an information report. The Seminar is being well received with positive feedback. The Director was commended for his efforts.

#### 9.4 NCEES Examinations

A total of 52 APEGGA members wrote the U.S. Fundamentals of Engineering examination administered by the National Council of Examiners for Engineering and Surveying (NCEES) in two 2003 sessions held in Edmonton and Calgary.

Marks obtained on this examination will be available before the end of December 2003.

#### 9.5 Public Member Recommendations

**Council and Executive Staff were encouraged to submit Public Member recommendations to the Executive Director before the February 5 Council meeting** so that approval can be obtained from the Minister before the AGM in April.

It was acknowledged that our Public Members make a substantial contribution to Council.

## **10. COMMITTEE REPORTS**

### **10.1 Investigative Committee Information Report**

Stewart McIntosh, P.Eng. presented the response of the Investigative Committee to the Discipline Review Task Force.

The following points were made:

- To improve time efficiency in the process, hired legal help is required.
- Staff supports the committee and encourages expediency of process.
- Drafting reports is a challenge as staff is legally unable to participate.
- Responsibility of the Chair is supported by staff.
- More members are employing the services of lawyers.

No recommendations were made to improve the process.

**MOVED AND SECONDED**

**03-053**

***THAT this issue be tabled for further review.***

**CARRIED**

### **10.2 Discipline Committee Information Report**

The Director of Professional Practice presented the Discipline Committee information report.

The following points were noted regarding the response of the Discipline Committee to the Discipline Review Task Force.

- Timeliness is an issue, but quality is more important.
- There is a need to have something in place to deal with the lack of attendance at Discipline Hearings.



**In future the Director Professional Practice will report the launch and conclusion dates of each case for Council's observation of how long each process takes.**

#### 10.3 Appeal Board Information Report

The Deputy Registrar presented the Appeal Board information report.

Due to time constraints, the Appeal Board has not yet responded to the Discipline Review Task Force.

#### 10.4 Governance Committee Report

The Chair of the Governance Committee presented an overview of the APEGGA Governance Model, priority items for APEGGA Council and an overview of the transition to compliance with the model from 1996 to 2003.

**The Executive Director will circulate the Powerpoint presentation to Council**

The Governance Committee questionnaire that was circulated to Council previously has been reviewed and will be discussed at the December 9 Governance Committee meeting. **A revised assessment sheet will be circulated to Council.**

A governance self-assessment checklist was circulated to Council to encourage Councillors to examine their participation in the governing of APEGGA. **Comments are to be directed to the Past President.**

#### 10.5 Environment Committee

##### 10.5.1 Guideline for Environmental Practice

**MOVED AND SECONDED**

**03-054**

**THAT Council receive the Guideline for Environmental Practice for review.**

**CARRIED**

**The guideline will be brought to the February 2004 meeting of Council for approval.**

#### 10.6 Inclusivity Task Force

To accommodate the need for foreign trained professionals with less than a four year degree to be registered, the following academic credential on page eight of the report was revised to read as follows:

Academic	A minimum of a four-year degree, or equivalent, in Engineering, Geology, Geophysics, Science or Medicine, related to the proposed scope of practice, from a University or College acceptable to APEGGA.
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**MOVED AND SECONDED**

**03-055**

***THAT Council approve the policy and requirements statement for the new category of membership – tentatively titled, Registered Engineer, Geologist and Geophysicist.***

**CARRIED**

**Comments on this title will be invited from staff and membership. The Executive Director will email a ballot to Council members to vote on this new category.** Unless there is extreme opposition this title will be confirmed in January 2004.

**MOVED AND SECONDED**

**03-056**

***THAT APEGGA staff be directed to manage implementation of the new category of membership, and arrange to bring the required regulation changes to the 2004 Annual General Meeting for approval.***

**CARRIED**

The third motion indicating that the Inclusivity Task Force be stood down was withdrawn in order to consider options for further discussion at the February Council meeting.

## **10.7 Insurance Review Task Force – Interim Report**

Dave Chalcroft, P.Eng. presented the report to Council.

Interviews with various industry experts have been held, including broker and actuary firms, notably Encon and DPIC. Correspondence has been received indicating difficulties with the rising costs of liability insurance.

An article on this subject from the Canadian Underwriter magazine titled *Tied Selling Or Good Practice* was circulated to Council.

Further points were made as follows:

- There is a need to communicate with the members on this topic.
- Further information is needed to resolve this issue.
- Presently, there is no requirement to have liability insurance.
- The aim of regulation is to prevent negligence. Insurance is a tool to remedy negligent professional practice. An alternative tool is needed to protect the public.

Feedback from Council will be sought at the February Council meeting when further information will be distributed.

#### 10.8 Act, Regulations & Bylaws Committee – Provisional Licensing

Legal advice has been obtained and the Act, Regulations and By-Laws Committee will be finalizing the proposed amendments to the Act, Regulations and By-Laws.

#### 10.9 Mentoring Committee – Mentoring Handbook

APEGGA now owns the copyright to the handbook and the Communications Department has reviewed the document.

**MOVED AND SECONDED**

**03-057**

***THAT Council approve “Strategies for Success in Mentoring: A Handbook for Mentors and Protégés” for publication.***

**CARRIED**

### **11. CCPE**

#### 11.1 Report from CCPE Directors

The President –Elect of CCPE gave a verbal report on CCPE affairs.

### **12. CCPG**

#### 12.1 Report from CCPG Directors

APEGGA’s Director on the CCPG Board together with the President of CCPG presented the CCPG report to Council.

### **13. BRANCH REPORT**

Andrew Poole, P.Eng., Vice Chair of the Central Alberta Branch presented the Branch report to Council.

**14. OTHER BUSINESS**

There was no other business.

**15. COUNCIL FORUM**

- Julie Aitken, P.Geoph. was congratulated on being the 2003 R.M. Hardy Graduate Award winner.
- The article pertaining to engineering work for Canadian projects overseas on page 20 of the November *Pegg* was commended.
- Council was reminded that the Christmas receptions would be held on December 9 in Calgary and December 11 in Edmonton.

**16. INFORMATION ITEMS**

Information provided to Council.

**17. NEXT MEETING**

The next meeting will be held on Thursday, February 5, 2004 in the APEGGA Calgary office.

**18. ADJOURNMENT**

The meeting adjourned at 4:00 p.m.

**19. COUNCIL CAUCUS**

There was no Council Caucus.